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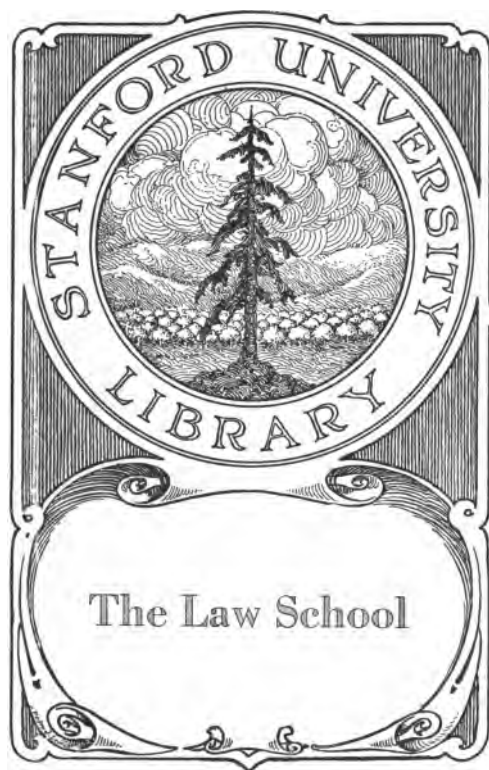
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# STATUTES

OF THE

## PROVINCE OF QUEBEC,

PASSED IN THE

FORTY-FOURTH AND FORTY-FIFTH YEARS OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA;

AND IN THE

FOURTH SESSION OF THE FOURTH PARLIAMENT,

BEGUN AND HOLDEN AT QUEBEC ON THE TWENTY-EIGHTH DAY OF APRIL, ONE THOUSAND  
EIGHT HUNDRED AND EIGHTY ONE, AND CLOSED BY PROROGATION, ON THE THIRTIETH  
DAY OF JUNE, ONE THOUSAND EIGHT HUNDRED AND EIGHTY ONE.



THE HONORABLE ~~THE~~ ~~ODORE~~ ROBITAILLE,  
LIEUTENANT GOVERNOR.

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QUEBEC:

PRINTED BY CHARLES-FRANÇOIS LANGLOIS,  
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

ANNO DOMINI, 1881.



L 9649  
AUG 9 1964

Y8A98UJ 0807412

*R. Lightred*  
*Montreal*



ANNO QUADRAGESIMO QUARTO ET QUADRAGESIMO QUINTO

## VICTORIÆ REGINÆ.

### C A P . I .

An Act granting to Her Majesty the moneys required for the expenses of the Government, for the financial years ending on the 30th June, 1881, and on the 30th June, 1882, and for other purposes connected with the public service.

*[Assented to 36th June, 1881.]*

MOST GRACIOUS SOVEREIGN,

**W**HEREAS it appears, by messages from His Honor Preamble.  
THEODORE ROBITAILLE, Lieutenant-Governor of this Province, and the estimates accompanying the same, that the sums hereinafter mentioned are required to defray certain expenses of the Government of the Province, not otherwise provided for, for the financial years ending on the 30th June, 1881, and on the 30th June, 1882, and for other purposes connected with the public service ; May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislature of Quebec, that :

1. From and out of the consolidated revenue fund of \$101,906.33 to this Province there shall and may be applied a sum not be applied for the year exceeding in the whole one hundred and one thousand, ending 30th June, 1881, out of consolidated nine hundred and six dollars and thirty-three cents, for revenue fund defraying, during the present financial year, the charges for purposes mentioned in and expenses of the Government and public service of the Province, for the financial year ending on the 30th June, Schedule A. 1881, as set forth in Schedule A, annexed to this Act.

\$1,654,578 to be applied for the year ending 30th June, 1882, out of consolidated revenue fund for purposes mentioned in Schedule B.

2. From and out of the consolidated revenue fund of the Province, a sum not exceeding in the whole one million, six hundred and fifty-four thousand, five hundred and seventy eight dollars, may be taken for defraying, during the financial year, ending on the 30th June, 1882, the charges and expenses of the Government and public service of the Province, as set forth in Schedule B, annexed to this Act.

\$1,418,319 to be applied for the year ending 30th June, 1882, out of consolidated railway fund for purposes mentioned in Schedule C.

3. From and out of the consolidated railway fund of the province, a sum not exceeding in the whole one million four hundred and eighteen thousand, three hundred and nineteen dollars for defraying, during the financial year ending on the 30th June, 1882, the charges and expenses of the government and public service of this province, as set forth in Schedule C, annexed to this act.

Payments to be considered as made subject to settlement of accounts with the Dominion and Ontario.

4. Every payment or application of moneys, appropriated by this Act, shall be held to be made provisionally and subject to all adjustment in account hereafter, in respect of the Dominion and of the Province of Ontario, and of special funds, which this Act may in any manner affect.

Accounts to be rendered to the Legislature.

5. Accounts, in detail, of all moneys expended under the authority of this Act, shall be laid before both houses of the Legislature of the Province, at the next session thereof.

Moneys expended to be accounted for to Her Majesty.

6. The application of all sums, expended under the authority of this act, shall also be accounted for to Her Majesty.

Act in force.

7. This Act shall come into force on the day of the sanction thereof.

## SCHEDULE A.

Sums granted to Her Majesty, by this act, for the fiscal year ending 30th June, 1881, with indication of the purposes for which they are granted.

SERVICE.	—	—	Total.
LEGISLATION.	\$ cts.	\$ cts.	\$ cts.
Printing, binding and distributing the Laws.....		1,482 00	
Legislative Assembly; contingent expenses, including printing, binding, &c., as per resolution of the House.....		10,000 00	11,482 00
CIVIL GOVERNMENT.			
Contingencies of Public Departments .....		17,050 00	
Salaries, (Lieut.-Governor's office).....		148 06	17,198 06
ADMINISTRATION OF JUSTICE, &c.			
Inspection of Public Offices.....			2,000 00
PUBLIC INSTRUCTION.			
To pay costs <i>re</i> Charest <i>vs.</i> Villeneuve, in appeal...			518 65
AGRICULTURE AND COLONIZATION.			
Cheese and butter factories.....		400 00	
Colonization Roads.....	10,190 00		
Colonization Societies.....	1,050 00	11,240 00	11,640 00
PUBLIC WORKS AND BUILDINGS.			
Rents, insurances, repairs, &c., of public buildings generally.....		18,859 42	
Public Departments, construction and heating apparatus.....		8,805 20	
Removal to, furnishing of, and installation in New Departments .....		13,500 00	
Spencer Wood heating apparatus .....		4,475 00	
Repairs of Court Houses and Gaols .....		3,303 00	
Rents of do .....		125 00	49,067 62
MISCELLANEOUS.			
Aid towards assisting the sufferers by fire in Quebec, as per resolution of the House.....			10,000 00
			<u>\$101,906 33</u>

## SCHEDULE B.

Sums granted to Her Majesty, by this act, for the fiscal year ending on the 30th June, 1882, with indication of the purposes for which they are granted.

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
<b>I. LEGISLATION.</b>			
<i>Legislative Council :</i>			
Salaries and contingent expenses, including printing, binding, &c.....		16,723 00	
<i>Legislative Assembly :</i>			
Salaries and contingent expenses, including printing, binding, &c.....		51,280 00	
Library of the Legislature.....		3,000 00	
Expenses of Elections.....		43,000 00	
<i>Clerk of the Crown in Chancery :</i>			
Salary, covering ordinary contingencies.....		800 00	
Printing, binding and distributing the Laws.....		4,800 00	
<i>Law Clerk :</i>			
Salaries of office.....	3,100 00		
Contingencies, comprising sessional clerk.....	500 00	3,600 00	
			123,203 00
<b>II. CIVIL GOVERNMENT.</b>			
Salaries of Public Departments .....		21,050 00	
Contingencies, Expenses of Public Departments ...		42,640 00	
			63,690 00
Carried over.....			186,893 00

## SCHEDULE B.—Continued.

SERVICE.	—	—	Total.
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....			186,893 00
III. ADMINISTRATION OF JUSTICE, &c.			
Administration of Justice, 32 Vict., chap. 23.....		363,932 00	
Police—Police Offices Quebec and Montreal.....		14,555 00	
Reformatories—Reformatory Prisons, Montreal and Sherbrooke.....		40,000 00	
Inspection of Public Offices.....		7,608 00	426,087 00
IV. PUBLIC INSTRUCTION, &c.			
Superior Education :			
Superior Education, proper, 5 per cent upon the share of the Catholics in the Education Fund shall be affected to the purchasing of Canadian Literature to be distributed as prizes to institu- tions contributing to such percentage..\$71,000 00			
High Schools, Quebec and Montreal.....		2,470 00	
Compensation to Roman Catholic Insti- tutions for grant to High Schools, of which \$2,000 for law faculty of Laval University, at Montreal.....		4,940 00	
	78,410 00		
Common Schools, covering statutory appropriations	155,000 00		
Schools in poor municipalities.....	4,000 00		
Normal Schools.....	42,000 00		
Inspection of Schools.....	28,745 00		
Superannuated Teachers.....	8,000 00		
Books for prizes.....	4,500 00		
Schools for the deaf and dumb.....	12,000 00		
Schools for the deaf and dumb, Mile End, Montreal.	1,000 00		
Council of Public Instruction.....	1,500 00		
Paris and Prov. Educational Exhibitions—balance	700 00		
Polytechnical School, Montreal.....	1,000 00		
School of Arts and Design, Quebec, payable upon recommendation of Council of Public Instruc- tion and Board of Arts and Manufactures.....	1,000 00		
Towards publication of Journals of Public Instruc- tion, French .....	500 00		
Towards publication of Journals of Public Instruc- tion, English .....	500 00		
Carried over.....	338,855 00		612,980 00

SCHEDULE B.—*Continued.*

SERVICE.	—	—	Total.
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	338,855 00	.....	612,980 00
IV.—PUBLIC INSTRUCTION, &c.— <i>Continued.</i>			
School of municipality of Notre-Dame de Hull; to complete buildings.....	150 00		
Grey Nuns Convent, Montebello, do .....	150 00		
Aid towards building Commercial College, Terrebonne.....	500 00		
<i>Literary and Scientific Institutions :</i>		339,655 00	
Medical Faculty, McGill College, Montreal.....	750 00		
Medical and Chirurgical School, do .....	750 00		
Medical Faculty, Laval University, do .....	750 00		
Natural History Society, do .....	700 00		
Montreal Historical Society, do .....	350 00		
Numismatic and Antiquarian Society do .....	100 00		
Young Irishmen's Literary and Benevolent Association, Montreal.....	200 00		
School of Medicine (Bishop's College), Lennoxville	750 00		
Literary and Historical Society, Quebec.....	750 00		
Institut Canadien, do .....	600 00		
Geographical Society, do .....	300 00		
Académie de Musique, do .....	100 00		
Aid to secure publication of reports of decisions of Law Courts at Montreal .....	1,000 00		
Aid to secure publication of reports of decisions of Law Courts at Quebec .....	1,000 00		
St. Patrick's Literary Institute, Quebec.....	300 00		
Aid towards publication of " <i>La Revue Légale</i> "...	500 00		
Aid towards publication of " <i>La Thémis</i> ".....	500 00		
School of Navigation, Quebec .....	1,000 00		
Rifle Association of the Province of Quebec.....	500 00		
Aid towards publication of " <i>Le Naturaliste Canadien</i> " .....	400 00		
Aid towards copying, printing and publishing Canadian Archives .....	2,460 00		
<i>Arts and Manufactures :</i>		13,760 00	
Board of Arts and Manufactures.....	.....	10,000 00	363,415 00
Carried over.....	.....	.....	976,395 00

## SCHEDULE B.—Continued.

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....			976,395 00
<b>V.—AGRICULTURE, IMMIGRATION, REPATRIATION AND COLONIZATION.</b>			
<i>Agriculture :</i>			
Towards manure phosphates for agricult. societies.....	2,500 00		
Council of Agriculture.....	4,000 00		
Journal of Agriculture, French and English .....	7,000 00		
Agricultural Schools (3 at \$800 each).....	2,400 00		
Veterinary Schools, French and English.....	2,800 00		
do Bursaries (30 at \$60 each).....	1,800 00		
Horticultural, Pomological & Provincial Exhibition	1,000 00		
Aid to Gazette des Campagnes .....	400 00		
Tow. encouraging the cult. of fruit trees and vines.	500 00		
Butter and cheese factories, salaries, travelling expenses, &c .....	1,500 00		
Miscellaneous Agriculture.....	1,000 00		
Subscriptions, &c., to various special treatises, pamphlets or publications concerning Agriculture, Colonization or Mines.....	1,000 00		
Aid towards the erection of Permanent Exhibition buildings at Montreal, one third of the cost, but the Government's share not to exceed.....	10,000 00		
<i>Immigration :</i>		35,900 00	
Immigration and repatriation.....		10,000 00	
<i>Colonisation :</i>			
Colonisation roads.....	50,000 00		
do do Ottawa Valley.....	5,000 00		
Quebec and Lake St. John road .....	5,000 00		
Colonisation Societies, 43-44 Vic., cap. 18 .....	5,000 00	65,000 00	
<b>VI.—PUBLIC WORKS AND BUILDINGS.</b>			110,900 00
Rents, insurances, repairs, &c. of public buildings generally .....	30,000 00		
Spencer Wood Repairs .....	4,000 00		
Spencer Wood Maintenance.....	5,000 00		
Spencer Wood. Cost of Receptions and St. Jean-Baptiste Celebration of 1880 .....	1,500 00		
Inspections and Surveys.....	3,000 00		
Carried over.....	43,500 00		1,087,295 00



SCHEDULE B.—*Continued.*

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	43,500 00	.....	1,087,295 00
<b>VI.—PUBLIC WORKS AND BUILDINGS.—<i>Continued.</i></b>			
Public Departments, to complete, to level the grounds, &c.....	18,000 00		
Building foundations of new Parliament Buildings	12,000 00		
House for gaoler of Gaspé Gaol .....	2,000 00		
To pay Engineers for mining purposes .....	3,000 00	78,500 00	
<i>Chargeable to Building and Jury Fund.</i>			
Repairs of Court Houses and Gaols.....	15,000 00		
Rents of do .....	1,407 00		
Insurances of do .....	300 00	16,707 00	
<b>VII.—CHARITIES.</b>			95,207 00
Lunatic Asylums, Beauport, St. Jean de Dieu and St. Ferdinand d'Halifax .....	.....	222,920 00	
<i>Miscellaneous :</i>			
Corporation of general hospital, Montreal...	4,000 00		
Indigent Sick, do ...	3,200 00		
St. Patrick's Hospital, do ...	1,600 00		
Seurs de la Providence, do ...	1,120 00		
St. Vincent de Paul Asylum, do ...	600 00		
Protestant House of Industry and Refuge, do ...	800 00		
Protestant House for friendless women, do ...	200 00		
St. Patrick's Orphan Asylum, do ...	640 00		
University Lying in Hospital, do ...	480 00		
Magdalen Asylum, (Bon Pasteur), do ...	720 00		
Carried over.....	13,360 00	222,920 00	1,182,502 00

## SCHEDULE B.—Continued.

SERVICE.	—	—	Total.
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	13,360 00	222,920 00	1,182,502 00
VII.—CHARITIES.—Continued.			
<i>Miscellaneous.</i> —Continued.			
Roman Catholic Orphan Asylum, Montreal.	320 00		
Sœurs de la Charité, do ...	800 00		
do for their foundling hospital, do ...	200 00		
Protestant Orphan Asylum, do ...	640 00		
Lying-in hospital, care Sœurs de la Miséricorde, do ...	480 00		
Bonaventure Street Asylum, do ...	430 00		
Nazareth Asylum for destitute children, do ...	400 00		
School for the blind, Nazareth Asylum, do ...	1,230 00		
Work-room for the blind, do do ...	300 00		
Dispensary annexed to do do ...	320 00		
Ladies Benevolent Society for widows and orphans including late House of refuge, do ...	850 00		
Home and School of Industry (Harvey Instit.) do ...	320 00		
St. Bridget's Asylum, do ...	800 00		
Frères de la Charité de St. Vincent de Paul, do ...	500 00		
Hospice de Bethléem, do ...	500 00		
Hospice de St. Joseph du Bon Pasteur, do ...	200 00		
Protestant Infant's Home, do ...	400 00		
Women's Hospital, do ...	500 00		
Church Home, do ...	200 00		
Eye and Ear Institution, ...	250 00		
St. Charles Hospital do ...	500 00		
Charitable Ladies Association of the Roman Catholic Orphan Asylum and Nazareth Asylum, Quebec...	1,140 00		
Indigent Sick, do ...	3,200 00		
Carried over.....	27,840 00	222,920 00	1,182,502 00

## SCHEDULE B.—Continued.

SERVICE.	—	—	Total.
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	27,840 00	222,920 00	1,182,502 00
VII.—CHARITIES.—Continued.			
<i>Miscellaneous.</i> —Continued.			
Asylum of the Good Shepherd, Quebec...	800 00		
Ladies' Protestant Home, do ...	750 00		
Male Orphan Asylum, do ...	420 00		
Finlay Asylum, do ...	420 00		
Protestant Female Orphan Asylum, do ...	420 00		
St. Bridget's Asylum, do ...	1,000 00		
Dispensary, do ...	200 00		
Sisters of Charity for old and infirm persons, do ...	200 00		
Hôpital du Sacré-Cœur de Jésus, do ...	1,000 00		
Do Dispensary, do ...	200 00		
Do Foundling Hospital, do ...	200 00		
Women's Christian Association, do ...	200 00		
Belmont Retreat Inebriate Asylum, do ...	700 00		
Marine and Emigrant Hospital, do ...	2,666 67		
Lying-in Hospital care of the Ladies of the Good Shepherd, do ...	2,013 33		
Indigent Sick, Three Rivers...	2,500 00		
Sœurs de la Charité, for foundling hospital, do ...	400 00		
General Hospital, Sorel...	700 00		
St. Hyacinthe Hospital, St. Hyacinthe...	500 00		
Orphan Asylum, do ...	200 00		
Ouvroir de St. Hyacinthe, do ...	200 00		
Distributing Home for Orphans, Knowlton...	200 00		
Hospice Youville, St. Benoit...	200 00		
Asile de la Providence, Côteau du Lac...	300 00		
Carried over.....	44,230 00	222,920 00	1,182,502 00

## SCHEDULE B.—Continued.

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	44,230 00	222,920 00	1,182,502 00
VII.—CHARITIES.—Continued.			
Miscellaneous.—Continued.			
Hospice St. Joseph, Beauharnois...	200 00		
Hospice Ste. Marie, Ste. Marie de Monnoir...	200 00		
Asile de la Providence, Mascouche...	200 00		
Hôpital St. Jean, St Jean...	200 00		
Sisters of Charity, do ...	200 00		
Hospice La Jemmerais, Varennes...	200 00		
Hospice des Sœurs de la Providence, St. Vincent de Paul .....	200 00		
Hôpital de la Providence, Joliette...	200 00		
Hospice de Laprairie, Laprairie...	200 00		
Hôpital St. Joseph, Chambly...	200 00		
Asile de la Providence, Ste. Elizabeth...	200 00		
Sœurs de la Providence de N.-D. de l'Assomption	200 00		
Asile de la Providence, Ste. Ursule...	200 00		
Hôpital de Ste. Anne Lapocatière, Ste. Anne...	200 00		
Sœurs de la Charité, Rimouski...	500 00		
Hôpital de St. Ferdinand d'Halifax, St. Ferdinand	200 00		
Hospice Yamachiche, Yamachiche...	200 00		
Sherbrooke Hospital & Orphan Asylum, Sherbrooke	500 00		
Sœurs de la Charité, Lanoraie...	200 00		
Hôpital St. Paulin, St. Paulin...	200 00		
do de Longueuil, Longueuil...	200 00		
do de St. François du Lac, St. François...	200 00		
do St. Louis, St. Denis...	200 00		
Sœurs Grises de Farnham .....	200 00		
Notre-Dame Hospital, Montreal, in connection with Laval University, Montreal .....	1,000 00		
Carried over.....	50,630 00	222,920 00	1,182,502 00

## SCHEDULE B.—Continued.

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	50,630 00	222,920 00	1,182,502 00
VII.—CHARITIES.—Continued.			
Miscellaneous.—Continued.			
Hôpital de St. Joseph de la Délivrance, Levis...	300 00	50,930 00	
Reformatory Schools .....	6,600 00		
Industrial Schools .....	8,400 00	15,000 00	288,850 00
VIII.—MISCELLANEOUS.			
Miscellaneous generally .....			20,000 00
IX.—COLLECTION, MANAGEMENT AND OTHER CHARGES ON REVENUE.			
Municipalities Fund C. S. L. C. Cap. 110, sect. 7...		4,000 00	
Surveys } through Crown Lands {	41,960 00		
Registration Service } Department.	35,000 00		
General Expenditure }	50,766 00	127,726 00	
Quebec Official Gazette.....		15,500 00	
Stamps, licenses, &c.....		10,000 00	
Special Police for revenue purposes.....		6,000 00	163,226 00
Total.....			1,854,578 00

## SCHEDULE C.

Sums granted to Her Majesty, by this act, for the fiscal year ending 30th June, 1882, with indication of the purposes for which they are granted.

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
QUEBEC, MONTREAL, OTTAWA AND OCCIDENTAL RAILWAY.			
Construction, including Branch to connect with Grand Trunk Railway .....	.....	.....	615,000 00
Equipment (rolling stock) .....	.....	.....	100,000 00
Maintenance .....	.....	.....	703,319 00
			<u>1,418,319 00</u>

## CAP. II.

An Act respecting the Quebec, Montreal, Ottawa and Occidental Railway and to ratify certain arrangements made in connection therewith.

[Assented to 30th June, 1881.]

## Preamble.

**W**HEREAS, by the act of this Province, 39 Victoria, chapter 2, the government of Quebec was authorized to build and did build the Quebec, Montreal, Ottawa and Occidental Railway; that the construction of the said railway was commenced, in virtue of the said act, under the control of three commissioners and continued under the control of the commissioner of agriculture and public works, in virtue of the act, 41-42 Victoria, chapter 3;

Whereas by the said act, 39 Victoria, chap. 2, the line of the said railway should have been as follows: "commencing at the port of Quebec, and extending from deep water in the said port, *viâ* Montreal, to such point in the county of Pontiac as may be most suitable for connecting hereafter the said railway with the subsidized portion of the Canada Central railway;"

And whereas, in consequence of a change in the line, serious difficulties have arisen respecting the financial arrangements, relating to the said railway, made between the government and the City of Montreal, and sanctioned by the said Legislature,—the said city pretending that the conditions under which it subscribed the sum of one million dollars for the construction of the western section of the said railway, had been by such change, seriously affected and changed;

Whereas, for the purpose of settling these difficulties, new arrangements have been entered into between the Commissioner of Agriculture and Public Works, acting as such, and the corporation of the city of Montreal, in conformity with resolutions passed by the council of the said city; and whereas it is in the interest of the province that such resolutions and arrangements entered into between the government and the city of Montreal, should be ratified and confirmed;

Whereas, under the provisions of the act 43-44 Victoria, chap. 47, the Government of Quebec has the right, by means of a proclamation to that effect, to declare that it intends to carry on the work which the company organized by the said act, had prayed the legislature to be authorized to do, and that, in consequence of the powers granted to it by the provisions of the said act, the Government of Quebec did, on the fourth day of April last, issue a proclamation in accordance with the said act;

Whereas it is expedient that the government should construct a branch line connecting the Quebec, Montreal, Ottawa and Occidental Railway with the Grand Trunk Railway of Canada, starting from a certain point between Sault-au-Récollet and Mile End stations, upon the line of the Quebec, Montreal, Ottawa and Occidental Railway and joining the Grand Trunk Railway of Canada, at a point on its line, near Dorval station, in the parish of Lachine ;

Whereas the government of the province of Quebec was obliged, in order to procure the ballast absolutely necessary to complete the eastern section of the Quebec, Montreal, Ottawa and Occidental Railway, to construct a railway between the town of Joliette and a place in the parish of Ste. Elizabeth, where there is a gravel pit, now being worked on account of the Quebec, Montreal, Ottawa and Occidental Railway ; and whereas, in order to reach such gravel pit, it is necessary that the cars of the said railway should traverse the whole line of the Joliette railway from Lanoraie Junction to the town of Joliette ;

Whereas it is expedient to acquire the property in the Joliette railway company, as well as the property in the branch line connecting the town of Berthier with Berthier station, on the line of the Quebec, Montreal, Ottawa and Occidental railway, so as to establish a regular service and uniform tariff between these branches and the main line ;

Whereas it is expedient to have these branches and portions of road declared to be part of the main line of the Quebec, Montreal, Ottawa and Occidental railway ;

Whereas it is advisable to assure to the Quebec, Montreal, Ottawa and Occidental Railway as much local traffic as possible ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The resolutions set forth in schedule A annexed to this act, passed by the council of the city of Montreal on the 15th November, 1880, respecting the Quebec, Montreal, Ottawa and Occidental Railway, are hereby ratified and confirmed, declared legal, final, complete and binding, to all lawful purposes, any former by-law, order or resolution of the council of the said city, and all statutes or laws to the contrary notwithstanding. Resolutions, set forth in Schedule A, ratified, &c.

2. The report set forth in Schedule B annexed to this act, of a Committee of the Honorable the Executive Council, dated the 26th November, 1880, and approved by the Lieutenant Governor on the 30th November, 1880, is also ratified and confirmed, declared valid, legal and binding, for all lawful purposes, any statute or law to the contrary notwithstanding. Report, set forth in Schedule B, ratified, &c.



Resolution,  
set forth in  
Schedule C,  
ratified, &c.

3. The resolution set forth in schedule C annexed to this act, adopted by the council of the city of Montreal on the 19th January, 1881, respecting the extension of the Quebec, Montreal, Ottawa and Occidental Railway to the Quebec Gate Barracks, in Montreal, is ratified and confirmed, declared valid, legal and binding, for all lawful purposes, any statute or law to the contrary notwithstanding.

Changes in  
line of railway,  
ratified, &c.

4. The changes made during the year 1878, under the orders of the commissioner of Agriculture and Public Works, acting as such, respecting the line of the Quebec, Montreal and Occidental Railway, *via* St. Martin, between St. Vincent de Paul and St. Martin's Junction, in the county of Laval, are ratified, confirmed and legalized for all lawful purposes.

Line between  
St. Vincent de  
Paul and St.  
Martin's Junction, made  
permanent.

5. That part of the Quebec, Montreal, Ottawa and Occidental Railway, between St. Vincent de Paul and the said St. Martin's Junction shall, for the future, be considered as a permanent line, and as forming an integral portion of the said railway, in the same manner as if such line had been authorized by the act of this province, 39 Victoria, chapter 2.

Terminus at  
Montreal es-  
tablished.

6. The terminus of the said railway, is hereby established in Montreal, at the place called the: "Quebec Gate Barracks," in the said city.

39 Vict., c. 2,  
sec. 1, repealed  
and replaced.

7. Section 1 of the act of this province, 39 Victoria, chap. 2, is repealed and replaced by the following, which shall be considered as having always been section 1 of the said act:

Railway to be  
built:

"1. There shall be a railway constructed, commencing at the port of Quebec and extending from deep water in the said port, *via* St. Martin's Junction, in the county of Laval, to Montreal, and from the said St. Martin's Junction to such point in the county of Pontiac, as may be most suitable for connecting hereafter the said railway with the subsidized portion of the Canada Central Railway and with any other railway, as the Lieutenant Governor in council may hereafter decide, including therein a branch line from the city of Three Rivers to the Grand Piles, and another from St. Thérèse to St. Jérôme; and such railway shall be styled and known as: "The Quebec, Montreal, Ottawa and Occidental Railway."

Where;

Branches;

Name.

Municipal  
subscriptions  
not affected.

8. The location of the said railway as it now exists and made permanent by this act shall not, in any manner,

affect the municipal subscriptions which shall be considered as having been made for the railway, as set forth in the preceding section.

9. The provisions of the Consolidated Railway Act, 1880, and all other provisions of law relating to the Quebec, Montreal, Ottawa and Occidental Railway, respecting any work and undertaking therein mentioned, shall apply to this act, in so far as they are consistent with it and of a nature to forward the construction and final completion of the said Quebec, Montreal, Ottawa and Occidental Railway.

10. It shall be lawful for the lieutenant governor in Council, to order the construction of a branch line to connect the Quebec, Montreal, Ottawa and Occidental Railway with the Grand Trunk Railway of Canada, the said branch to start from any point between the Sault au Recollet and Mile End stations, and connecting the said line with the Grand Trunk Railway of Canada, at a point on the line of the latter near Dorval station; provided that the cost of the construction of the said line, shall not exceed the sum of one hundred thousand dollars.

11. The said branch shall form part of the main line of the said Quebec, Montreal, Ottawa and Occidental railway, as if such branch had been authorized by the act 39 Victoria, chapter 2.

12. It shall be lawful for the lieutenant governor in Council to authorize the commissioner of railways to acquire, from the Joliette railway company, the property in its road from the river Saint Lawrence, at Lanoraie, as far as the town of Joliette for a sum not to exceed sixty-five thousand seven hundred and fifty dollars.

13. It shall be lawful for the lieutenant governor in Council to authorize the commissioner of railways to acquire the Berthier branch, extending from the town of Berthier as far as Berthier station on the line of the Quebec, Montreal, Ottawa and Occidental railway, including the right of way, the wharves, station and the switch line to the factory of the *Union Sucrière*, the whole for a sum not to exceed twenty nine thousand dollars.

14. The Joliette Railway Company is authorized to transfer to the government of this province, all its property both movable and immovable and all rights held by it under its charter.

Certain  
branches  
declared part  
of main line.

**15.** The Berthier Branch, as well as the line of the Joliette Company and the continuation of the railway now built, from the town of Joliette, to a point in the parish of Saint Elizabeth, where there is a gravel pit, is declared to be a portion of the Quebec, Montreal, Ottawa and Occidental Railway, as if the provisions of the Act 39 Victoria, Chapter 2, applied to the construction of these lines.

Letters-patent  
may be issued  
to build  
branch to near  
St. Therese

**16.** It shall be lawful for the lieutenant governor in council to grant letters-patent authorizing a company to build a branch line, starting from a point on the line of the Quebec, Montreal, Ottawa and Occidental Railway, at or near the parish of St. Thérèse and extending to another point in the parish of St. Joseph *via* the village of Saint Eustache, the said branch not to exceed ten miles in length.

Letters-patent  
may be issued  
to build  
branch to St.  
André.

**17.** It shall be lawful for the lieutenant governor in council to grant letters-patent to permit any company to construct a branch line, starting from a point in the parish of St. Jerusalem d'Argenteuil (Lachute) and extending to another point in the parish of St. André, in the county of Argenteuil.

How such com-  
panies to be  
governed.

**18.** The companies formed by letters-patent in virtue of the two preceding sections, shall be governed by and have all the powers conferred by the consolidated railway act of Quebec, 1880, upon companies regularly incorporated.

Bonus may be  
granted to  
Pontiac Pacific  
Junction Rail-  
way in lieu of  
building cer-  
tain line.

**19.** The lieutenant governor in council, in lieu of constructing that portion of the Quebec, Montreal Ottawa and Occidental Railway, between the village of Aylmer and that point in the county of Pontiac most suitable to connect the same with the subsidized portion of the Canada Central Railway, as provided by the act 39 Victoria, chap. 2, and its amendments, may grant a bonus of six thousand dollars per mile, for a length not exceeding eighty-five miles, to the Pontiac Pacific Junction Railway Company, for each mile which the said Railway Company shall construct between the said village of Aylmer or the City of Hull and the town of Pembroke: such bonus shall be payable as each ten miles of the said road is put in good running order to the satisfaction of the lieutenant governor in council.

Bonus how  
payable.

Schedules part  
of Act.

**20.** The schedules annexed to the present act, shall be considered as forming part thereof.

Act in force.

**21.** This act shall come into force on the day of its sanction.

## SCHEDULE A.

Extract from minutes of council, adjourned monthly meeting,  
Monday, fifteenth November, one thousand eight hundred and eighty.

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**PRESENT :** His worship the acting mayor, alderman Gilman.

**ALDERMEN :** Laurent, Grenier, Hood, Donovan, Holland, G  n  reux, Robert, Allard, Greene, McShane, Hagar, Jeannotte, Gauthier, Lavigne. Watson, Mooney, Dubuc, Fairbairn, Wilson, McCord, Proctor, Kennedy, Thibault.

The order of the day being read, to consider a report from the special committee on the proposition of the government, relative to the terminus of the Quebec, Montreal, Ottawa and Occidental Railway, the following reports were brought up and read.

## TO THE CITY OF MONTREAL.

The special committee on the railway respectfully report :

On the accompanying letter of the Hon. Mr. Chapleau, Commissioner of Agriculture and Public Works, of date the 5th November, 1880, submitting the conditions upon which the government will settle the question of the terminus of the Quebec, Montreal, Ottawa and Occidental Railway in this city ;

That, after recapitulating the proceedings and arrangements already taken and arrived at, as regards this long pending question, the Hon. Mr. Chapleau submits the following conditions as the basis of the arrangement to intervene between the government and the corporation, viz :

“ 1. The government will extend at their cost, within  
“ one year from this day, the line of the Quebec, Montreal,  
“ Ottawa and Occidental Railway, from its terminus at  
“ Hochelaga to the property known as “ *the Quebec Gate*  
“ *Barracks* ” following the line indicated on the plan trans-  
“ mitted to the government by your corporation, that is to  
“ say : running along the river St. Lawrence from Hoche-  
“ laga as far as the Barracks, or, if the cost of the expro-  
“ priation be not higher, following a direct line from the  
“ Hochelaga station to the vacant lot in rear of the Montreal

" common gaol, and thence crossing St. Mary street and  
" running along the river by the line above indicated ;

" 2. The government will build a suitable freight and  
" passenger station and other buildings in connection with  
" a station on the barracks property ;

" 3. They will build, besides, on the grounds belonging  
" to them in rear of the Montreal gaol, the engine-houses,  
" workshops and other necessary erections for the western  
" section of the Quebec, Montreal, Ottawa and Occidental ;  
" an accomodation station shall also be established in the  
" immediate vicinity of the gaol, the corporation giving,  
" for the construction of that part of the railway, the right  
" of crossing St. Mary street, in the most convenient man-  
" ner for the circulation of carriages and foot passengers in  
" the said street ;

" 4. The corporation, on their part, will undertake to  
" carry out the expropriation of the necessary lots of  
" ground for the construction of the said railway, less  
" however the lots already belonging to the government,  
" and, for such expropriation, the government bind them-  
" selves to pay a sum not exceeding \$132,000, if however  
" that sum be required for the complete payment of all  
" the lots so expropriated ;

" 5. The government bind themselves to ask, for the  
" corporation of the city of Montreal, at the next session  
" of the Legislature, the necessary powers for expropria-  
" tion, if required ;

" 6. The corporation shall cede gratis to the govern-  
" ment the lots of ground above mentioned, that is to say :

" (1) The property known as the " Quebec Gate Bar-  
" racks " 252,404 feet in superficies ;

" (2) The portions of Dalhousie square and St. Paul and  
" Lacroix streets, &c, &c, specified on plan submitted to  
" the government, comprising 53,596 square feet ;

" (3) The land and buildings of the military store, com-  
" prising 12,256 square feet ;

" 7. The corporation shall give, as a contribution towards  
" the construction of the bridge at Hull, a sum of \$50,000,  
" so soon as that bridge shall be open to traffic and the  
" arrangements now proposed shall be accepted by the  
" corporation and the government ;

" 8. The corporation, moreover, shall waive all claims,  
" rights and interests that they may pretend to have in

"relation to the sum of \$346,644, already paid to the Government for the construction of the said railway, the said sum, as well as the new grants of lots of ground and money being considered as a final settlement ;"

That, in the opinion of your Committee, the offer contained in the fore part of condition *number one*, to bring the said railway from Hochelaga to the Quebec Gate Barracks property, by a line running along the river St. Lawrence, commends itself to the favorable consideration of the council and they respectfully suggest that it be adopted, subject to the conditions *numbers two, three, four, five, six, seven, and eight* in the said letter ;—but with the understanding that the number of superficial feet of ground to be ceded by the city, as specified in condition *number six*, shall be subject to verification by the city's engineer, according to plans and titles, and that the sum of \$50,000, to be paid by the corporation towards the construction of the bridge at Hull, shall be payable only after the cars shall be ready to run into the proposed station at the Quebec Gate barracks ;

In case the government should determine to adopt and carry out the line referred to in the latter part of condition *number one*, that is to say, following a direct line from the Hochelaga station to the vacant lot in rear of the Montreal gaol, and thence crossing St. Mary street, and running along the river as far as the Quebec Gate Barracks, your committee are not of opinion that the corporation should assist in the carrying out of such line further than by the gratuitous cession of the Quebec Gate Barracks property and the portions of Dalhousie square and St. Paul and Lacroix streets aforesaid, and the contribution of \$50,000 towards the construction of the bridge at Hull as aforesaid : and, in doing so, your committee deem it their duty to direct the attention of the government to the fact that, in adopting this line, the railway will have to cross eight or nine streets, thus causing much danger to life and property, to say nothing of the great inconvenience and interruptions that will be thereby occasioned to the public in that important section of the city.

The whole nevertheless respectfully submitted.

(Signed,)

H. A. NELSON,  
J. GRENIER.  
M. LAURENT,  
THOS. D. HOOD,  
E. K. GREENE,  
J. McSHANE, JR.

COMMITTEE ROOM, CITY HALL,  
MONTREAL, 9th November, 1880.

The Finance Committee respectfully report:—

That, as directed by the Council, they have considered the accompanying report of the special committee on railway, concerning the location of the terminus and workshops of the Quebec, Montreal, Ottawa and Occidental railway, and that they concur in the recommendation therein made.

The whole, nevertheless, respectfully submitted.

(Signed,)

H. A. NELSON,  
M. LAURENT,  
E. K. GREENE,  
J. GRENIER,  
J. H. MOONEY,  
E. A. GÉNÉREUX,  
J. McSHANE, JR.

COMMITTEE ROOM, CITY HALL,  
MONTREAL, 9th November, 1880.

Alderman Grenier moved, seconded by Alderman Hood,  
That the said reports be adopted.

Alderman Jeannotte moved, in amendment, seconded  
by Alderman Gauthier ;

That the said report of the special committee on railway be amended, by striking out all the words after "that in the opinion of your committee," and substituting in their stead, the following: "That this council is of opinion the line last mentioned in the letter of the Honorable Premier, *i. e.*, starting from Hochelaga, in a straight line to the vacant lot in rear of the Common gaol of Montreal, thence across St. Mary street, and running along the river side as far as the Quebec gate Barracks, together with the engine-houses, the work-shops in rear of the gaol, and a station in St. Catherine street, is highly advantageous for the Quebec suburbs in particular, and the whole city in general; That this council do, therefore, accept this last proposition, which would only be carrying out, in part, the promises and agreements entered into by the corporation as well as by the Government, and be an act of justice to that portion of the city, with the understanding, however, that the number of superficial feet of ground to be ceded by the corporation, as specified in the Honorable Mr. Chapleau's letter, shall be subject to verification by the

"city's engineer, according to plans and titles, and  
"that the sum of \$50,000, to be paid by the corporation  
"towards the construction of the bridge at Hull, shall be  
"payable only after the cars shall be ready to run into the  
"proposed station at the Quebec gate Barracks;

"This council deems it its duty to direct the attention  
"of the Government to the fact that, in adopting the line  
"on the river side, from Hochelaga to the Gaol, (the wharf  
"between these points being only 80 feet wide) much  
"damage will be caused to trade and navigation, and life  
"and property endangered, to say nothing of the great  
"inconvenience and greater expenditure that will be  
"thereby occasioned to trade and shipping, as well as to the  
"public in that important section of the city."

The Council divided thereon :

YEAS :—Gauthier, Jeannotte,—2.

NAYS :—Thibault, Kennedy, Proctor, McCord, Thos. Wilson, Fairbairn, Dubuc, Mooney, Watson, Lavigne, Hagar, McShane, Greene, Allard, Robert, Gagnéux, Holland, Donovan, Hood, Grenier and Laurent.—21.

So it was lost.

Alderman Jeannotte then moved in amendment seconded by Alderman Gauthier.

That a space of 50 feet in width along the line of Notre Dame street, in front of the proposed station, be reserved for the purpose of widening said street.

The Council divided thereon :

YEAS.—Gauthier, Jeannotte.—2.

NAYS :—Thibault, Kennedy, Proctor, McCord, Thos. Wilson, Fairbairn, Dubuc, Mooney, Watson, Lavigne, Hagar, McShane, Greene, Allard, Robert, Gagnéux, Holland, Donovan, Hood, Grenier and Laurent.—21.

So it was lost.

The question then being put on the main motion.

The Council divided thereon.

YEAS :—Kennedy, Proctor, McCord, Thos. Wilson, Fairbairn, Dubuc, Mooney, Watson, Lavigne, Hagar, McShane, Green, Allard, Robert, Gagnéux, Holland, Donovan, Hood, Grenier, Laurent —20.

NAYS :—Thibault, Gauthier and Jeannotte.—3.

So it was carried in the affirmative and resolved accordingly.

(Certified),

(Signed) CHS. GLACKMEYER, City Clerk.



Letter of the Honorable Mr. Chapleau, referred to in the foregoing report of the special committee on Railway.

DEPARTMENT OF AGRICULTURE AND PUBLIC WORKS.

Quebec, 5th November, 1880.

To His Honor the Mayor, the Aldermen  
and citizens of the city of Montreal.

Gentlemen,

Since the last interview which the Government of Quebec had the honor of having with the members of the committee of your council delegated to see to the settling of the question of a terminus of the Quebec, Montreal, Ottawa and Occidental Railway in Montreal, I have submitted to the Executive Council, the proposals which I had made to your Committee.

I now have the honor to represent :

That it is of the greatest importance both for the city of Montreal and for the Quebec Government that the question, so long discussed and too frequently postponed, of a terminus of the Quebec, Montreal, Ottawa and Occidental Railway in the city of Montreal, should be finally settled ;

That the conditions of the by-law originally passed by the council have already been considerably modified by new agreements entered into by the Quebec Government and the corporation of Montreal, to wit by the agreements and the legislation of 1875 and by the compromise made by the corporation of Montreal in February 1879 ;

That as early as the 25th of May 1877, the Quebec Government had notified your corporation that it was prepared to place the terminus of the said railway and to build a passenger and freight station as well as workshops for the western section of the road in the eastern portion of the city of Montreal, provided that the corporation would fulfil its obligations ;

That this offer of the Government was unfortunately refused by a resolution of the council of your corporation, bearing date the 30th of May 1877, which resolution was however set aside by another one of your council, bearing date the 21st of February 1879 ;

That since that date, one of the chief conditions of the agreements and of the legislation of 1875, to wit the point of junction of the two lines of railway running from Quebec and Ottawa respectively to Montreal which was, under the terms of the agreements, to be within the limits of the city, has been irrevocably altered and changed by

the accomplished fact of the building of the road as far as St. Martin ;

That on the 15th of March 1880, at an interview which took place at Montreal between the Government and the delegates of the corporation, the latter caused an offer to be made to the Government to settle, in a definite manner, the question of a site for the said terminus of the railway as also all questions connected with the reciprocal obligations of the government and corporation ;

That at the said interview the corporation proposed to the Government that, in the event of the latter building a terminus at the place known as the "Quebec Gate Barracks," the corporation would undertake not to make any claim against the Government for the \$346,644, already paid by it for the construction of the said road and to raise no objections on account of the non-fulfilment of the obligations of the Government towards the corporation, as to the construction of the said road and moreover to give the Government : 1. a sum of \$50,000 in money, such sum to be considered as the contribution of the city of Montreal towards the building of the Hull Bridge ; 2. The property of the barracks, properly so-called, namely : 252,404 square feet ; 3. a certain extent of ground, now forming part of Dalhousie square, and St. Paul, Lacroix streets, &c., &c., namely : 53,596 square feet ; 4. The property on which are built all the military stores attached to the said barracks' property, the whole covering an extent of 12,256 square feet, according to the plan then transmitted by the corporation to this Department ;

This proposal of the corporation was to take the place of a final settlement, between the government and itself, and to replace all provisions contained, either in the by-laws or in the agreements between the corporation and the government, notwithstanding any legislative enactments to the contrary ;

That, subsequently, by a letter which I addressed to your corporation in the course of last April, I insisted, before communicating the intentions of the government as to these new proposals, that, in the event of an understanding being arrived at, the corporation would itself undertake to make the expropriations which might be necessary, for the construction of the line, from Hochelaga to the "Barracks" and the building of a station at the latter place, in accordance with the plans then submitted, the government promising, if the proposed arrangement was accepted, to pay for the said expropriations, an amount not exceeding \$120,000 and 10 o/o additional on the latter amount, to complete, if necessary, the payment of such expropriations, the corporation itself to pay all amounts

beyond the \$120,000 and the 10 oyo additional to be paid for such expropriations ;

That at a meeting held on the 30th April last, the select committee charged by your corporation with the Quebec, Montreal, Ottawa and Occidental Railway matter, recommended the accepting of the proposal contained in my letter, by asking that the corporation be clothed with the necessary authority to proceed with such expropriations, in the event of the powers already conferred upon the city by its charter, being insufficient, and, at a subsequent meeting of the council, the report and recommendation of the said committee were adopted ;

That, by reason of the premises, the government came to the following conclusions which it submits to your Honorable council, asking for its concurrence :

1. The government will extend at their cost, within one year from this date, the line of the Quebec, Montreal, Ottawa and Occidental Railway, from its terminus at Hochelaga to the property known as "*The Quebec Gate Barracks*," following the line indicated on the plan transmitted to the government by your corporation, that is to say : running along the river St Lawrence from Hochelaga as far as the *Barracks*, or, if the cost of the expropriation be not higher, following a direct line from the Hochelaga station to the vacant lot in rear of the Montreal common gaol, and thence crossing St. Mary street and running along the river by the line above indicated ;

2. The government will build a suitable freight and passenger station and other buildings, in connection with a terminus on the barracks property ;

3. They will build, besides, on the grounds belonging to them, in rear of the Montreal gaol, the engine-houses, workshops and other necessary erections for the western section of the Quebec, Montreal, Ottawa and Occidental Railway ; an accommodation station shall also be established in the immediate vicinity of the gaol ; the corporation undertaking to give, for the construction of that part of the railway, the right of crossing St. Mary street, in the most convenient manner for the circulation of carriages and foot passengers in the said street ;

4. The corporation, on their part, shall undertake to carry out the expropriation of the necessary lots of ground for the construction of the said railway, less, however, the lots already belonging to the government, and, for such expropriation, the government bind themselves to pay a sum not exceeding \$132,000, if, however, that sum be required for the full payment of all the lots so expropriated ;

5. The government bind themselves to ask, for the corporation of the city of Montreal, at the next session of the Legislature, the necessary powers for expropriation, if required ;

6. The corporation shall cede *gratis* to the government the lots of ground above mentioned, that is to say :

(1). The property known as the Quebec Gate Barracks, 252, 404 feet in superficies ;

(2). The portions of Dalhousie square and St. Paul and Lacroix streets, etc., etc., specified on the plan submitted to the government, comprising 53,596 square feet ;

(3). The land and buildings of the military stores, comprising 12,256 square feet ;

7. The corporation shall give, as a contribution towards the construction of the Hull bridge, the sum of \$50,000, so soon as the said bridge shall be open to traffic, and the arrangements now proposed shall be accepted by the corporation and the government ;

8. The corporation, in fact, shall waive all claims, rights and interests that they may pretend to have, in relation to the sum of \$346,664, already paid to the government for the construction of the said railway, the said sum, as well as the new grants of lots of ground and money, being considered as a final and conclusive settlement.

I have the honor to be, gentlemen,  
Your obedient servant,

J. A. CHAPLEAU,  
Premier and Commissioner of  
Agriculture and Public Works.

Quebec, 5th November, 1880.

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### SCHEDULE B.

Copy of the Report of a Committee of the Honorable the Executive Council, bearing date the 26th November, 1880, approved by the Lieutenant Governor on the 30th November, 1880.

Relating to the terminus of the Quebec, Montreal, Ottawa and Occidental Railway in the city of Montreal.

The honorable the commissioner of agriculture and public works, in a report of the twenty-sixth day of November instant, (1880), states that, in the beginning of the present month, the government of Quebec made certain formal propositions to the corporation of the city of Montreal, with a view of arriving at a definite understanding on both sides, with regard to the locality to be chosen for the terminus of the Quebec, Montreal, Ottawa and Occidental Railway, and the construction of the station and workshops in the city of Montreal.

The corporation of the city of Montreal having taken the proposition of the government into consideration, at the sitting of the city council on the fifteenth of November instant, adopted an order of the day, accepting the propositions of the government, which are stated at length in the minutes of that sitting of the city council (a copy of which is annexed to the report of the honorable the commissioner) and which are summed up as follows :

“ With a view to concluding this matter, the government of Quebec informs the council that should it accept the propositions made by the government, the alteration which the council seem to want, with respect to verifying the extent of ground to be given by the corporation, the date of payment of the fifty thousand dollars for the Hull Bridge and the scheme of a road from Hochelaga straight to the gaol grounds would be accepted by the government that is to say :

1. The number of feet in superficies of the ground to be given to the government by the corporation and mentioned in the written proposition of the government, shall be subject to verification by the city engineer according to the plans and titles;

2. The sum of fifty thousand dollars (\$50,000), contributed towards the Hull Bridge, shall be paid by the corporation to the government, so soon as trains shall run in to the Quebec Gate Barracks station ;

3. If the government adopts as the track, a straight line from Hochelaga to the grounds behind the gaol and from there along the river to the grounds at the Barracks, the contribution of the corporation towards the road and the terminus shall be limited to the gratuitous grant of the ground at the Barracks and the portions of Dalhousie square, St. Paul and Lacroix streets, agreed upon, and in the gift of fifty thousand dollars (\$50,000), towards the Hull Bridge, as above stated.

So soon as your council shall signify its acceptance of these propositions, with the above modifications, orders will be given for the immediate execution thereof.

Thus, the city council of Montreal were favorable to and adopted, at its sitting of the fifteenth of November instant, the propositions of the Government, offering a final settlement of the question of the terminus, etc., in Montreal, subject to the modification spoken of in the minutes of the said sitting.

Considering that it is expedient to carry out the clauses of the agreement, as accepted by both parties, which constitutes a definite settlement of this important question of the terminus of this railway in Montreal, upon conditions satisfactory to everyone, the honorable commissioner recommends that he be authorized to record by deed, the acceptance to the city council of Montreal, as stated in his letter of the said corporation, of the fifth November instant, and in the minutes of the said sitting of the fifteenth November instant, with the modification therein mentioned, and to notify the corporation of the city of Montreal, that the Government accepts the terms of the definite settlement of the question of the terminus, etc., in Montreal, as stated in the said minutes.

The honorable commissioner further recommends that he be authorized to carry out the said agreement, to order the necessary works for this object, and to sign all such deeds and documents as may be necessary to carry out the said agreement.

The Committee concurs in the above report, and submits it to the Lieutenant-Governor for his approval.

(Certified),      **FELIX FORTIER,**  
*Clerk of the Executive Council.*

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## SCHEDULE C.

### EXTRACT

From the Minutes of a Meeting of the City Council, held on the 19th January, 1881.

Submitted and read a letter from the Honorable Mr. Chapleau, dated 15th January, 1881, transmitting a copy of the Order in Council, concerning the extension of the Quebec, Montreal, Ottawa and Occidental Railway to the Quebec Gate Barracks.

On motion of Alderman Laurent, seconded by Alderman Nelson, it was

*Resolved*,—That, in view of carrying out, without further delay, the proposition contained in the letter of date 17th instant, of the Honorable Premier of the Province of Quebec, to his Worship the Mayor, suggesting that this council agree to proceed, forthwith, to the expropriation of the properties required for the continuation of the Quebec, Montreal, Ottawa and Occidental Railway, on the river side, to the Quebec gate barracks, a special committee be appointed with full power and authority to confer with the Quebec Government and decide upon the mode of procedure to be followed, in order to carry out the said expropriation; said committee to be composed of Aldermen Nelson, Grenier, Allard, Laurent, Hood, Greene and McShane.

(Certified),

CHS. GLACKMEYER,

*City Clerk.*

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EXTRACT

From the Minutes of a Meeting of the Special Committee on Railway Extension, held on the 22nd January, 1881.

PRESENT :—Aldermen Nelson, Laurent, Grenier, Allard and Greene.

Submitted and read the letter of the Hon. Mr. Chapleau, dated the 17th January instant, concerning the extension of the Quebec, Montreal, Ottawa and Occidental Railway to the Quebec Gate Barracks property.

*Resolved*,—That the proposition to appoint two persons to secure so much of the property required for such extension, as may be required, by amicable arrangement be approved of, and that Jean Baptiste Resther, architect, be appointed by this Committee to act with the gentleman to be chosen by the government for that purpose; and that Alderman Laurent be requested to assist and co-operate with these gentlemen in attaining the object in view.

(Certified),

CHS. GLACKMEYER,

*City Clerk.*

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EXTRACT

From a letter of the Honorable J. A. Chapleau, Commissioner of Railways, dated the 17th January, 1881, to His Worship the Mayor of the city of Montreal.

There now remains only the question of expropriation which may retard the carrying out of our arrangement.

I wish to inform your Council that if the corporation of Montreal consent to accept the system of expropriation prescribed for the building of the railway, the government will commence expropriation proceedings immediately, and this, after all, would be the best plan to adopt.

If, on the contrary, you wish to have the expropriation made according to the plan adopted for municipal improvements, you would be obliged to wait special legislation for that purpose, and that would necessarily cause considerable delay.

In the meantime the government is ready to appoint a person who, with the person appointed by the corporation for that purpose, would attend to the expropriation in all cases in which it will be possible to come to an amicable arrangement with the proprietors.

I have reason to believe that by this means we could acquire nearly all the property required for the construction of the railway without having recourse to forced expropriation.

On receipt of your reply the government will immediately appoint some one, so that proceedings may be taken without delay.

(Signed), J. A. CHAPLEAU,  
*Commissioner.*

### CAP. III.

#### An Act to amend the Acts respecting Subsidies in Money to certain Railways.

[Assented to 30th June, 1881.]

**W**HEREAS, by an Act passed during the present Session, the franchise of the Levis and Kennebec Railway Company has been transferred to the Quebec Central Railway Company, and power given to the latter company, under certain conditions, to change the proposed route of the Levis and Kennebec Railway, and it has thereby become necessary and advisable to confirm to the said Quebec Central Railway Company all rights and privileges, in regard to subsidies to which the Levis and Kennebec Railway Company was entitled: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. All aid, in the form of subsidy, to which the Levis and Kennebec Railway Company was entitled from this Province, under the several aid Acts, 32 Victoria, chapter

*Subsidy under  
certain acts to  
Levis and  
Kennebec*



Railway Com-  
pany, renewed  
and confirmed  
to Quebec  
Central Rail-  
way Company.

Provide, as to  
amount.

52; 37 Victoria, chapter 2; 38 Victoria, chapter 2; 40 Victoria, chapter 3; and 41 Victoria, chapter 2; is hereby transferred, renewed and confirmed to the Quebec Central Railway Company, upon the terms and conditions mentioned in the said acts, for the uncompleted portions of the line of the said Levis and Kennebec Railway, including the portion of the said railway, the building of which is authorized by section 2 of the act of the present Session, intituled : " An Act to amend the Charter of the Quebec Central Railway Company." Provided that, in constructing that part of the line of the said railway as authorized by section 2 of the said act of the present Session, the said Quebec Central Railway Company, shall not be entitled to a larger subsidy than was granted to the said Levis and Kennebec Railway Company, to construct the extension of their line from its present terminus in the parish of Notre-Dame de Lévis to a point at the wharves, at deep water, in Lauzon ward in the town of Levis.

Payment of  
subsidy.

2. The said subsidy shall be paid, as aforesaid, to the said Quebec Central Railway Company, upon the latter constructing the said uncompleted portion of the line of the said Levis and Kennebec Railway, (including the portion to deep water as aforesaid), and as the work progresses on the line of the said route.

Rights and  
privileges  
limited.

3. The transfer of the subsidy hereby authorized, shall not be held or construed to confer upon the said Quebec Central Railway Company, any further rights or privileges than those conferred upon them by the said act of the present Session, intituled : " An Act to amend the Charter of the Quebec Central Railway," nor shall it affect the rights of the creditors of the Levis and Kennebec Railway Company.

Act in force.

4. This act shall come into force on the day of its sanction.

#### C A P . I V .

An Act to amend the Quebec License Law.

[Assented to 30th June, 1881.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

41 V. c. 3, s. 13.

1. Section 13 of the act 41 Victoria, chapter 3, is amended by adding thereto, the following words :

"Such certificate shall be refused, if it be proved to the satisfaction of the council :

Refusal of certificate in certain cases.

1. That the petitioner is a person of bad character, having already allowed or permitted drunkenness in his tavern, or

2. That he has already been a second time condemned to a fine for having sold liquor without a license, or

3. That his demand for a license is opposed in writing by the absolute majority of the electors, resident in the locality in which it is intended to open a tavern."

2. Section 12 of the said act is repealed and replaced by the following :

41 V., c. 3, s. 12, repealed and replaced.

"12. The confirmation of a certificate for a tavern license can be given only by the municipal council and must be certified under the signature of the mayor and clerk or secretary-treasurer.

Confirmation of certificate.

If, on the day fixed for the meeting of the council, there is no quorum, the meeting is postponed from day to day until there is a quorum and until the question is decided."

Want of quorum.

3. The following section is added after section 80 of the said Quebec License Law.

Section added after sec. 80.

"80a. The license of a tavern-keeper, who permits any one to become intoxicated in his tavern, or who allows any disorder whatever to occur, may, in addition to the ordinary penalties to which the said tavern-keeper is subject, be revoked by the court before which the complaint is heard, upon satisfactory proof to that effect."

License may be revoked.

4. The Lieutenant Governor in Council may, upon the recommendation of the permanent exhibition committee appointed by the Council of Agriculture and the Council of Arts and Manufactures, grant licenses, at reduced rates, to sell intoxicating liquors, on the grounds set apart for exhibition purposes, to have effect only during the Provincial Exhibition.

Licenses to sell during Provincial Exhibition.

5. Section 5 of the act, 43-44 Victoria, chapter 11, is amended by striking out the word : "new" in the second line of the second paragraph thereof.

43-44 Vic., c. 11, s. 5 amended.

6. Section 37, of the said act, 43-44 Victoria, chapter 11, is amended by striking out all the words after the word : "distributed," and replacing them by the following :

43-44 Vic., c. 11, s. 37, 32 amended.

" one quarter to the municipality, one quarter each, to the License Inspector and to the informer, and the remainder to the consolidated revenue fund of the Province.

Act in force. **7.** This act shall come into force on the day of its sanction.

## C A P . V .

An Act respecting the Publication of certain Orders in Council, Proclamations and Departmental Regulations.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS, there may be orders in council, proclamations and departmental regulations, passed and issued by the Government of the former Province of Canada, regarding the Province of Quebec, of a public general nature and interest and, whereas, it is expedient that such orders in council, proclamations, and departmental regulations, as well as those made and passed by the Government of Quebec, since the year 1867, and those that may hereafter be made and passed, be made public; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Certain orders in council, &c., may be published.

**1.** The orders in council, proclamations and departmental regulations, passed and issued by the Government of the former Province of Canada, which shall, by the Lieutenant Governor in Council, be deemed to be of general public nature and interest, and to affect the Province of Quebec, as well as those that have been passed by the Government of this Province, since the year 1867, up to the passing of this act, and which shall also, by the Lieutenant Governor in Council, be deemed to be of public general nature and interest, shall be published in the volume of the statutes of the present, or of a future Session, or in a separate volume.

How.

Certain future orders in council, &c., may be published.  
How.

**2.** The orders in council, proclamations and departmental regulations, which the Lieutenant Governor in Council, shall consider to be of public general nature and interest, shall be printed and published in the volume of the statutes of every Session of the Legislature of Quebec.

41-42 Vict., cap. 7, repealed.

**3.** The Act 41-42 Victoria, chapter 7, is hereby repealed.

## CAP. VI.

An Act to amend the Act, 43-44 Victoria, chapter 3, intituled :  
 “An Act respecting the division of the Department of  
 Agriculture and Public Works.”

[Assented to 30th June, 1881.]

**H**ER MAJESTY, by and with the advice and consent  
 of the Legislature of Quebec, enacts as follows :

1. Section 1, of the Act of this Province, 43-44 Victoria, 43-44 Vict.,  
 chapter 3, is amended, by adding thereto, the following cap. 3, s. 1 amended.  
 words :

“But no such appointment shall have the effect of Members of  
 increasing the number of members of the executive executive  
 council of this province.” council not to be increased.

2. Section 2 of the said Act is repealed.

43-44 Vic., c.  
3, s. 2 repeal-  
ed.

3. This Act shall come into force on the day of its Act in force.  
 sanction.

## CAP. VII.

An Act to extend the duration of the Legislative Assembly  
 of the Province of Quebec.

[Assented to 30th June, 1881.]

**W**HEREAS, by section 85 of the British North America Preamble.  
 Act, 1867, the duration of the Legislative Assembly  
 of Quebec is fixed at the period of four years ; and  
 whereas it is expedient to extend that period to five  
 years ; and whereas by section 92 of the above cited act,  
 power is given exclusively to the Legislature in each pro-  
 vince to legislate, among other things, in relation to this  
 matter ; Therefore, Her Majesty, by and with the advice  
 and consent of the Legislature of Quebec, enacts as follows :

1. Every Legislative Assembly of the Province of Que- Duration of  
 bec, shall continue for five years, from the day of the the Legisla-  
 return of the writs for choosing the same and no longer. ture.

2. The foregoing provision shall in no way interfere Power of  
 with the right of the Lieutenant Governor of the Province Lieut.-Gov.  
 to dissolve the Legislative Assembly sooner, if he deems it not affected.  
 advisable.

3. This act shall not affect the duration of the present Limitation of  
 Legislative Assembly. Act.

## CAP. VIII.

An Act to amend the act of this province, 42-43 Victoria, chapter 15, intituled : "An Act to amend the Quebec Election Act."

[Assented to 30th June, 1881.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

42-43 V., c. 15, s. 1, amended. 1. The act of this province, 42-43 Victoria, chapter 15, is amended by striking out, in the fourteenth line of the first section thereof, the words : "one hundred," and substituting therefor the word : "fifty."

Act in force. 2. This act shall come into force on the day of the sanction thereof.

## CAP. IX.

Act to amend sections 54 and 75, of the act 43-44 Victoria, chapter 12.

[Assented to 30th June, 1881.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

43-44 V., c. 12, s. 54, amended. 1. Section 54 of the act 43-44 Victoria, chapter 12, is amended by striking out in the third line of the said section the words : "voluntary or enforced."

Id. s. 75, repealed. 3. Section 75 of the said act is repealed.

Act in force. 4. This act shall come into force on the day of its sanction.

## CAP. X.

An Act to further amend the law respecting Jurors and Juries (32 Victoria, chapter 22.)

[Assented to 30th June, 1881.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

32 V., c. 22, s. 5, replaced 1. Section 5 of the act 32 Vict., chap. 22, is repealed and replaced by the following :

" 5. The following persons are exempt from serving as jurors: Exemption from serving as jurors.

1. Members of the clergy;
2. Members of the Privy Council, or of the Senate or of the House of Commons of Canada, or persons in the employ of the government of Canada;
3. Members of the Executive Council, Legislative Council or Legislative Assembly of Quebec, or persons in the employ of the government of Quebec or of the Legislature thereof;
4. Practising advocates and attorneys;
5. Prothonotaries, clerks of the crown, clerks of the peace and clerks of the circuit court, the clerks, treasurers and other municipal officers of the cities of Quebec and Montreal;
6. Sheriffs and coroners;
7. Officers of Her Majesty's courts;
8. Guardians or keepers of houses of correction;
9. Officers of the army and navy on full pay;
10. Pilots duly licensed;
11. School masters, not exercising any other profession;
12. All persons employed in the running of railway trains;
13. Physicians, surgeons and apothecaries, practising their professions;
14. Cashiers, tellers, clerks and accountants of incorporated banks;
15. Masters and crews of steamboats and masters of schooners, during the season of navigation;
16. All persons employed in the working of grist mills;
17. Officers, non-commissioned officers and privates of the active militia;
18. Firemen;
19. Registrars;
20. Persons above sixty years of age;

21. The persons mentioned in section twenty three of the act fourth and fifth Victoria, chapter ninety."

*Id.*, s. 6, replaced.

2. Section 6 of the said Act is repealed and replaced by the following :

Extract from assessment roll to be delivered to sheriff.

"6. Within three months, after this Act comes into force, the clerk or secretary-treasurer of every local municipality, being wholly or in part, within thirty miles of the place of holding the court, in the district in which such municipality is situated, shall cause to be delivered, without charge, to the sheriff of such district, an extract from the assessment or valuation roll, then in force in such municipality, in the form A, annexed to this Act, giving the names of all persons named on such roll, who reside within the municipality and are qualified to act as grand or petit jurors."

*Id.*, sec. 7, replaced.

3. Section 7 of the said Act is repealed and replaced by the following :

Extract from new assessment roll to be delivered to sheriff.

"7. Within two months, after the completion of every new valuation or assessment roll in such municipality, the clerk or secretary-treasurer shall, in like manner, cause to be delivered, without charge, to the said sheriff, a similar extract from such roll, in the form A, annexed to this Act, giving the names of all persons named on such roll, who reside within the municipality and are qualified to act as grand or petit jurors."

S. added after s. 7, *id.*

4. The following section is added after section 7 of the said Act :

Contents of extract delivered to sheriff.

Proviso.

"7a. In the extract so delivered to the sheriff, the clerk or secretary-treasurer shall enter the names of those who are qualified to act as grand jurors, and afterwards, those who are qualified to act as petit jurors ; but, the name of a person, qualified as a juror, shall not appear more than once in the said extract, nor in the supplement mentioned in section 9 of this Act.

Further contents.

Such extract shall also contain the names of all persons who, since the delivery of the previous extract or of the last supplement, have died or no longer reside within the limits of the municipality or have become disqualified or exempt from serving as jurors ; the reasons for which such persons have ceased to be jurors shall be stated opposite their names."

*Id.*, sec. 8, replaced.

5. Section 8 of the said Act is repealed and replaced by the following :

"8. Before delivering to the sheriff the extract mentioned in the preceding provisions, or the supplement mentioned in section 9 of this Act, the clerk or secretary-treasurer, after having given at least eight days' public notice thereof, shall submit the said extract or supplement to the council of the municipality, at a special meeting convened for such purpose; the council shall, at such meeting, examine the said extract or supplement, make such corrections therein as it deems necessary and approve the same after having ascertained, with all possible care, that the names of persons who are disqualified or exempt from serving as jurors are not entered, and in testimony of such approval, the head of the council or the councillor presiding at such meeting and also the clerk or secretary-treasurer shall sign the said extract or supplement."

Extract or supplement to be submitted to council before being sent to sheriff.

6. Section 9 of the said Act is repealed and replaced by the following:

Id., sec. 9, replaced.

"9. In the interval between the completion of each such valuation roll and the completion of the next, the said clerk or secretary-treasurer shall also, every twelve months, deliver to the sheriff, free of charge, a supplement, in the form B, annexed to this Act, containing the names of all persons who, to his knowledge, have, since the delivery of the previous extract or supplement, died or no longer reside within the limits of the municipality or have become qualified, disqualified or exempt from serving as jurors, or have been discovered to have been erroneously included or omitted from the previous extract or supplement, and such clerk or secretary-treasurer, shall, in each case with the said extract or supplement, give all necessary details and information for identifying each person named therein."

Annual supplement to be furnished by sheriff.

7. Section 10 of the said Act is amended by adding thereto the following words: "under a penalty of not less than one and not more than twenty dollars for the name of each person disqualified or exempt from serving as a juror, under sections four and five of this Act, erroneously entered in the extract or supplement mentioned in the preceding provisions, and shall be responsible towards every person whose name shall have been so erroneously entered on the said extract or supplement."

Id. sec. 10, amended. Penalty for entering names that should not appear.

8. Section 12 of the said Act is repealed and replaced by the following:

Id. sec. 12, replaced.

"12. Every such extract and every such supplement shall be accompanied with an affidavit of the clerk or

Extract and supplement to be attested under oath.



secretary-treasurer, in the form C, annexed to this Act, taken before a justice of the peace, testifying to his belief in the correctness of the said extract or supplement and of the information furnished therewith."

Fee of Clerk.

9. The clerk or secretary-treasurer shall receive the sum of five cents for each name entered by him in such extract or in such supplement, and fifty cents for every affidavit made by him respecting the same.

Id. sec. 14,  
amended.

10. Section 14 of the said act is amended by striking out all the words after: "court" in the tenth line.

Id. sec. 17,  
replaced.

11. Section 17 of the said Act is repealed and replaced by the following:

Inspection of  
extract or  
supplement.

" 17. All persons shall have free access to the copies of the lists so deposited in the office of the said prothonotary, between the hours of nine in the morning and four in the afternoon of every day, without being thereby liable to any fee or charge whatsoever."

Id. sec. 18,  
replaced.

12. Section 18 of the said Act is repealed and replaced by the following:

Correction of  
jury list.

" 18. If the name of any person, who is disqualified or exempt, has been erroneously inserted in the extract or supplement delivered to the sheriff, or if, at any time a juror dies or removes his domicile from the district, or municipality, or becomes disqualified or exempt, and the fact in each such case is established, to the satisfaction of the sheriff, by affidavit in writing to be deposited with him, the sheriff shall note the same in the jury list, opposite the name of the juror in a blank column or columns left for the purpose, and shall give notice thereof to the secretary-treasurer or clerk, who shall make the same changes in the duplicate in his possession."

Id. sec. 20,  
replaced.

13. Section 20 of the said Act is repealed and replaced by the following:

How revision  
is effected.

" 20. Such revision shall be effected by drawing a line through the name of each juror who has died or removed his domicile from the district or municipality, or is disqualified or exempt, and by adding to the jury lists the names in full, with the residence and occupation of all persons, whose names are not already inserted therein, who, by the extracts or supplements, are bound to serve as such jurors, and such additional names shall be arranged and distributed on the jury list in the same manner as is herein provided for the distribution of the names of the

jurors inserted in such list at the making thereof; and, when any name is so struck out, the reason of so striking it out shall be written opposite such name; and when any name is added, the date of such addition shall be written opposite such name or at the end of such names, if more than one are inserted on the same day, and, in both cases, the sheriff shall authenticate the whole with his signature in the same manner as on the first completion of the registers."

**14.** Section 21 of the said Act is repealed and replaced Id. sec. 21, replaced.  
by the following :

" 21. The sheriff shall forthwith, after the revision of any Correction of list after revision.  
jury list, notify the prothonotary of the superior court, who shall forthwith correct the copy in his possession so as to make it conform to the jury lists so revised by the sheriff."

**15.** Section 27 of the said Act is repealed and replaced Id. sec. 27, replaced.  
by the following :

" 27. If at any time the book or register containing a jury Court may order new jury list in certain cases.  
list should become defaced or filled up, or if the corrections or alterations have become so numerous as to render the said list illegible; the court, on a representation to that effect made by the sheriff, or in its own discretion, may order the sheriff to make a new jury list, instead of revising the list contained in the book so defaced, filled up or rendered illegible; and thereupon the sheriff shall make such new list from the information afforded him by the list which it is intended to replace, and from the extracts or supplements furnished to him under this Act. In so doing, and in the making and delivery of certified copies of the new list so made, the sheriff shall be guided by the provisions hereinbefore contained, and in all such cases the old lists shall in remain force until the new ones are completed."

**16.** Section 35 of the said act is repealed and replaced Id. sec. 35, repl. ced.  
by the following :

" 35. In every district, the clerk of the crown or Jurors not to be summoned if there are no cases to be tried.  
the clerk of the peace, as the case may be, before giving instructions to the sheriff to summon persons to serve as grand or petit jurors, shall transmit to the department of the law officers of the crown a list of all the criminal cases to be tried at the then next term or session of any court of criminal jurisdiction about to be held; and the said clerk of the crown or clerk of the peace shall not give instructions to the said sheriff to summon a grand or petit jury for such cases, unless authorized by the said

department of the law officers of the crown to give such instructions to the sheriff; but every such court shall nevertheless meet at the time fixed by law; and if thereupon it appears to the court to be necessary for the investigation or trial of any case coming before such court, the court may then direct the sheriff to summon the usual number of persons to serve as grand or petit jurors before that court, on any day to which it may be adjourned; and all proceedings had at and before such adjourned court, shall be as valid as if had at or before such court at the ordinary time of holding it; and any judge or person, holding such adjourned court, shall adjourn the same from day to day, so long as there is any business before it, but the above provision shall in no way prevent the court from proceeding, in the absence of grand or petit jurors, to the despatch of such business as does not require the intervention of either of them."

*Id.* sec. 36,  
replaced.

**17.** Section 36 of the said Act is repealed and replaced by the following :

When and how  
second panel  
to be sum-  
moned.

" 36. If it appears, either previous to or during any term of the court of Queen's bench or any court of quarter sessions, that the number of cases to be tried will require a second panel of petit jurors, the court or any judge thereof may, on application of the representative of the crown, order the sheriff to summon a second panel of petit jurors for such court in the same manner, at the same time and to the same number and subject to the same rules as to exemptions and as to additions to such panel, as that

For what day.

summoned for the first day of the court, and such second panel of petit jurors shall, for the court of Queen's bench, be summoned to attend on the twelfth juridical day of the term thereof, and for the court of general quarter sessions, on the tenth juridical day of the session thereof; and every such second panel of petit jurors shall attend and serve for the residue of every such term or session, unless the court shall have ordered a third panel, in which case they shall not serve for more than eleven days, for the court of Queen's bench, or nine days for the court of quarter sessions; and when a second panel of jurors is summoned, as aforesaid, for any term or session, the jurors on the first panel shall be discharged, in the court of Queen's bench, on the eleventh day of such term, or on the ninth juridical day of such session, as the case may be.

And for how  
long.

*Id.* sec. 39,  
replaced.

**18.** Section 39 of the said Act is repealed and replaced by the following :

Notice on sum-  
mons to juror  
how to claim  
exemption.

" 39. In every summons served upon any juror, requiring him to attend and serve as a juror, a notice shall be

inserted informing such juror that, if he intends to claim exemption from serving as such juror, under sections four and five of this Act, he must, within three juridical days from the service of such summons, furnish the sheriff with an affidavit in writing, sworn to before a justice of the peace or before the sheriff or his deputy, establishing the ground of his claim to exemption; and if such juror neglects so to do, he shall not be allowed the benefit of such exemption; and no juror shall be exempt for any other reasons than those set forth in the said sections four and five, unless the Court be convinced that the public interest admits of such exemption being allowed, and then only on motion in writing supported by affidavit setting forth the ground of the exemption and the reason why it was not claimed within the above mentioned delay.

If juror fails to claim such exemption.

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## FORM "A."

## MUNICIPALITY OF

EXTRACT from the assessment or valuation roll in force in the municipality of  
for the year 18 , giving the names of all persons named on such roll, who reside within the municipality  
and are qualified to act as grand jurors or petit jurors.

No.	Christian names and name.	Occupation, profession or trade.	Range, concession or street.	Proprietor, amount of assessment.	Occupant or lessee, amount of assessment.	Disqualifications or exemptions since the last extract or supplement.
1						
2						
3						
4						
5						
"						
"						

The foregoing extract has been submitted to the council of the municipality of at a  
special meeting convened on the 18 , and has been examined, corrected and approved.

Mayor.

(Clerk or) Secretary-treasurer.

FORM "B"  
MUNICIPALITY OF

SUPPLEMENT, for the year 18 , of the municipality of containing the names of all persons who, since the delivery of the previous extract or supplement (*as the case may be*), have died, or no longer reside within the limits of the municipality, or have become qualified, disqualified, or exempt from serving as jurors, or have been discovered to have been erroneously included in or omitted from the previous extract or supplement (*as the case may be*).

No.	Christian names and name.	Range, concession or street.	Occupation, profession or trade.	Proprietor, amount of assessment.	Occupant or lessee, amount of assessment.	Causes of disqualification, exemption or other change.
1						
2						
3						
4						
"						
"						

The foregoing supplement has been submitted to the council of the municipality of at a special meeting convened on the 18 , and has been examined, corrected and approved.

Mayor.  
(Clerk or) Secretary-Treasurer.

## FORM "C."

I, the undersigned (clerk or) secretary-treasurer of the municipality of being duly sworn, affirm that I believe in the correctness of this extract or of the foregoing supplement (*as the case may be*) and of the information furnished therewith.

Sworn, written and signed before }  
me, at 18 }

Justice of the Peace.

## CAP. XI.

An Act to amend the Joint Stock Companies incorporation Act (31 Vict., Cap. 25).

[Assented to 30th June 1881.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

31 Vic., c. 25, s. 2, as amended by 32 Vic., c. 41 and 38 Vic., c. 39, is repealed and the following substituted therefor :

replaced.  
Charters by letters-patent may be granted.  
Effect of such charters.

Exception.

" 2. The lieutenant governor may, by letters-patent under the great seal, grant a charter to any number of persons, not less than five, who shall petition therefor. Such charter shall constitute the petitioners and all others who may become shareholders in the company thereby created a body politic and corporate for any of the purposes within the jurisdiction of this legislature, except for the construction and working of railways and the business of insurance.

31 Vic., c. 25, s. 3, replaced.  
Notice in "Quebec Official Gazette."

Contents of notice.

" 2. Section 3 of the said act, 31 Vict., cap. 25, is repealed and the following substituted therefor :

" 3. The applicants for such letters-patent shall previously give notice of their intention to make such application.

Such notice shall be published during four consecutive weeks in the " Quebec Official Gazette " and contain :

a. The corporate name of the proposed company, which shall not be that of any other known company, or any name liable to be confounded therewith or otherwise on public grounds objectionable ;

- b. The object for which its incorporation is sought ;
- c. The place, within the limits of the province, selected as its chief place of business ;
- d. The proposed amount of its capital stock ;
- e. The number of shares and amount of each share ;
- f. The names in full and the address and calling of each of the applicants, with special mention of the names of not less than three nor more than nine of their number, who are to be the first directors of the company. The major part of such directors shall be resident in Canada and subjects of Her Majesty.

3. The lieutenant governor may, if he deems it expedient, give to the company a name different to that chosen for it by the applicants if such name is objectionable, and may prescribe that the object or objects for which the company is constituted be changed provided that they be of the same nature as that given in the notice.

Different name than that chosen may be given.

4. If it happens that the name of a company, constituted as aforesaid, is the same as that of any other existing company or so nearly resembles it, as to be liable to create confusion, the lieutenant governor may order the issue of supplementary letters-patent to change the name to another to be chosen. Such supplementary letters-patent shall refer to the former letters-patent.

Proviso : if name is same as that of any existing company.

Such change of name shall not affect the rights or obligations of the company.

5. Whenever a company, incorporated under the joint stock companies incorporation act, desires to have its name changed for another, the lieutenant governor may, on petition to that effect, grant supplementary letters-patent, if he deems that such change of name is not made for some unavowed or illegitimate purpose ; which letters-patent shall be made in the manner provided in the preceding section and shall have the same effect to all intents and purposes.

Proviso : change of name.

## CAP. XII.

An Act to amend the joint stock companies general clauses  
Act (31 Vict., cap. 24).

[Assented to 30th June, 1881.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :



31 Vic., c. 24, s. 2, as amended by 32 Vic., c. 42, replaced. **1.** Section 2 of the Act 31 Vict., cap. 24, as amended by the Act 32 Vict., cap. 42 is repealed and replaced by the following :

**Act to apply to all joint stock companies.** "2. When not otherwise expressly enacted, this Act shall apply to every joint stock company, incorporated by any special Act, for any of the purposes within the jurisdiction of the legislature of this province, except for the construction and working of railways and the business of insurance."

**Exception.**

### CAP. XIII.

An Act to amend the Act of this Province, 43-44 Victoria, chapter 19, intituled : " An Act respecting Public Officers of the Province of Quebec."

[Assented to 30th June, 1881.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

43-44 Vic., c. 19, s. 2, replaced. **1.** Section 2 of the Act 43-44 Victoria, chapter 19, is repealed and replaced by the following :

**Percentage to be transmitted with return.** "2. Every such officer shall transmit to the treasurer, together with the return mentioned in the preceding section, five per cent. of the nett amount of the fees received by him for the period covered by such return, after deducting the necessary and unavoidable expenses of the office (which expenses so deducted, shall, in no case, for the purposes of this act, exceed one quarter of the total amount of fees received) and provided such nett amount be one thousand dollars ; and if such nett amount exceed one thousand dollars, then a further and additional percentage, on the whole of such nett amount, of one-half per cent. for every hundred dollars or portion of a hundred dollars shall be transmitted, that is to say : five and a half per cent. if the nett amount is eleven hundred or over one thousand dollars ; six per cent. if it is twelve hundred or over eleven hundred dollars, and continuing to increase in such manner that the percentage shall not, in any case, exceed thirty per cent."

**Act in force.** **2.** This Act shall come into force on the day of its sanction.

## CAP. XIV.

Act to amend the Act of this Province, 40 Vict., chap. 10 intituled: "An Act to establish a superannuation and aid fund in favor of certain public employees and their families."

[Assented to 30th June, 1881.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Section 1 of the Act 40 Vict., chapter 10 is repealed and replaced by the following: 40 Vic., c. 10, s. 1, replaced.

"1. The Lieutenant Governor in Council shall grant an Annual pension to any employee or permanent member of the civil service, who shall have served, as such, for ten years or more, and shall have attained the full age of sixty years, or who shall have become incapable of discharging his ordinary duties, by reason of physical or mental infirmities, provided such infirmities be not caused by unlawful or immoral conduct. Pension reduced in certain cases.

a. If the report of the head of the department, to which belongs an employee who is to be superannuated, for any other reason than age or ill health, shows that the services of such employee have not been satisfactory, it shall be lawful for the Lieutenant Governor in Council to grant him a smaller pension than that allowed by law. Pension reduced in certain cases.

2. Paragraph 2 of section 2 of the said act is amended by striking out the following words: "three to." Id., s. 2, §2, amended.

3. Section 6 of the said act is repealed. Id., s. 6, repealed.

4. Paragraph 2 of section 7 of the said act is amended by striking out the words: "pension fund," in the second line, and replacing them by the words: "Consolidated Revenue Fund of the Province."; and by repealing paragraph 3 of the said section. Id., s. 7, §2, amended. Id., s. 7, §3, repealed.

5. Section 11 of the said Act is amended, by striking out the word: "three" in the third line thereof and replacing it by the word: "ten." 40 Vic., c. 10, s. 11, amended.

6. Section 13 of the said act is amended by striking out the words: "Pension Fund" in the fifth line of the first paragraph thereof, and replacing them by the words: "Consolidated Revenue Fund of the Province," and by Id., s. 13, amended.

adding, after the first paragraph of the said section, the following :

Amounts re-  
tained return-  
ed if employee  
leaves service  
before having  
right to pen-  
sion.

“ If a person is obliged, through physical or mental infirmity, to leave the civil service before the time when a pension could be granted to him, the amounts that have been retained from his salary or stipend shall be immediately paid over to him, or if he dies before that time, such sums so retained shall be paid over to his wife or to his children, if he leaves no wife.

40 Vic., c. 10,  
s. 16, replaced

7. Section 16 of the said act is repealed and replaced by the following :

Payment of  
pensions.

“ 16. The pensions to be paid in accordance with the present Act shall be paid out of the Consolidated Revenue Fund of the Province.”

Pension Fund  
transferred to  
Consolidated  
Revenue Fund

8. The special fund called the: “ Pension Fund,” established by the Act 40 Vict., chap. 10, section 6, is hereby transferred to the Consolidated Revenue Fund of the Province, to form part thereof.

Act in force.

9 This Act shall come into force on the day of its sanction.

## C A P. X V .

An Act respecting Masters and Servants.

[Assented to 30th June, 1881.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Punishment of  
servants, &c.,  
for miscon-  
duct, &c.

1. Any apprentice, servant, journeyman or laborer, bound by act of indenture, or written contract or agreement, or verbally before one or more witnesses, for one month or for any longer or shorter period, who refuses or neglects to enter the service of his master, at the time agreed upon, or who is guilty of ill-behaviour, refractory conduct or idleness, or of deserting from his service or duties, or of absenting himself by day or night, without leave, from his said service, or from the house or residence of his employer, or who refuses or neglects to perform his just duties, or to obey the lawful commands which may be given him by his master or mistress, or who is guilty of dissipating his master's or mistress' property or effects, or of any unlawful act that may affect the interest of his master or mistress, shall be liable to a penalty not exceeding twenty dollars.

• 2. Any domestic, servant, journeyman or laborer, engaged by the month, or longer space of time, or by the piece or job, who deserts or abandons the service or job for which he was engaged, before the time agreed upon, shall, for each offence of such nature, be liable to the penalty provided in the next preceding section. Punishment for desertion.

3. In every case of contravention against the two preceding sections, on the part of any servant or laborer engaged to work or serve in the woods and forests of this province, for the making of saw-logs or the manufacture of square or other commercial timber, or firewood of any kind, the contravening party may be prosecuted and convicted before any justice of the peace of the judicial district wherein he shall have contracted his engagement, or wherein he shall be apprehended, notwithstanding that the territory where the contravention shall have been committed, may happen to be beyond the limits of such district. Suits against servants employed to work in woods.

4. Any person, knowingly harboring or concealing any apprentice or servant, engaged by written act or agreement, or verbally before witnesses, who has abandoned the service of his master or mistress or instigating or engaging or inducing any apprentice or servant to abandon such service, or keeping such servant in his or her service, after being informed of the fact, shall, for such offence, be liable to the penalty provided in the first section. Punishment for harboring servants.

5. Any domestic, servant, journeyman or laborer, engaged by the week, month, or year, and not by the piece or job, or for a fixed period, who intends to quit the service in which he is engaged, at the expiration of his engagement, shall give at least one week's notice of such intention, if his engagement be by the week, two week's notice, if it be by the month, and one month's notice, if it be by the year; and if any such person quits the service without giving such notice, he shall be considered as having deserted from the said service and be punished accordingly. Servants wishing to leave service to give notice.

Every master, mistress or employer shall give a like notice to any servant, journeyman or laborer, engaged by the week, month or year, whose services he or she no longer requires; but any domestic, servant, journeyman or laborer so engaged, may be discharged at or before the expiration of his agreement, without notice, upon full payment of the wages to which he would have been entitled had the term of service expired and had the required notice been given. Every master to give similar notice before dismissing servant.

Penalty for dismissing servant without paying wages.

Penalty against master for misusage, &c.

Complaints before whom tried.

Penalty.

Contract, annulled in certain cases.

6. Any master or mistress, who discharges his or her servant, without paying his wages as aforesaid, shall incur the penalty provided in the first section.

7. Any master, mistress or employer, against whom any just cause or complaint exists on the part of his or her apprentice, domestic, servant, journeyman or laborer, bound or engaged as aforesaid, for any misusage, defect of sufficient wholesome provisions or food, or for cruelty or illtreatment of any kind, shall upon each and every conviction be liable to a penalty not exceeding twenty dollars.

8. Any complaint, founded upon contravention of any of the provisions of this act, may be heard and determined before any one justice of the peace, resident in the district where such contravention occurred, who may, by warrant or summons, require the attendance of the offender before him, and upon the offender being brought up under warrant, or if summoned, upon proof of the service of such summons, may, either in the absence or presence of the offender, determine such complaint in a summary manner, on the oath of any one or more credible witness or witnesses, to be sworn before him, and may, if the offender be convicted, condemn such offender to the penalty imposed for the offence, and in default of payment of the said penalty, with costs of suit, with or without delay, to be imprisoned in the common gaol of the district for a period not exceeding two calendar months, unless the said penalty and costs of suit, together with the costs of apprehension and conveyance of the delinquent to the gaol, be sooner paid. And on a suit by a servant for wages the defendant may plead the fact of such desertion, misconduct or disobedience hereinbefore mentioned and on proof thereof and of the damages incurred in consequence by the defendant it may be declared that the plaintiff hath lost all recourse for his wages in whole or in part in the discretion of the Court, according to the circumstances.

9. Upon complaint by any master, mistress or employer against his or her apprentice, servant or journeyman, or by any apprentice, servant or journeyman against his master, mistress or employer, of continued misconduct or misusage, and of repeated violations of the ordinary and established duties of the parties towards each other, or of incapacity to perform the services for which he is hired, any two justices of the peace, resident in the district where the master or mistress lives may, at a special sitting, upon due proof of the facts, annul the contract or agreement, whether written or verbal, by which such master, mistress

or employer, and such apprentice, servant or journeyman, were bound to each other.

10. All penalties imposed by this act, when paid, shall be handed over to the sheriff of the district within which the offence was committed, to form part of the building and jury fund. To whom fines are paid.

11. The prosecution for any offence against the provisions of this act shall be commenced within three months after the offence has been committed, and not after. Prescription of suits.

12. This act shall apply to all parts of the province, except to the cities of Quebec and Montreal and to all other incorporated cities, towns and villages which have passed or may hereafter pass by-laws regulating the relations of master and servant. Application of act.

13. Chapter twenty seven of the consolidated statutes for Lower Canada, chapter thirty four of twenty nine and thirty Victoria and chapter twenty of thirty three Victoria are hereby repealed. C. S. L. C. c. 27, 29-30 Vic., c. 34 and 33 Victoria, c. 20, repealed.

## CAP. XVI.

An Act to order the registration of customary dowers and servitudes in certain cases not provided for by law.

[Assented to 30th June, 1881.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 2116 of the Civil Code shall, in future, apply to customary dowers created before the 1st of August, 1866, on which day the code came into force. Art. 2116, C. C. to apply to certain customary dowers.

2. Nevertheless, a delay of two years, counting from the coming into force of this act, is granted to parties interested in maintaining such dowers in order to enable them, in the event of its not being already done, to effect the enregistration mentioned in the said article 2116, after which delay such dowers, if not registered, shall be null and void and have no effect as regards third parties who shall have become proprietors or creditors subsequent to the passing of this act, and who shall have enregistered the titles giving them a claim upon the immovables originally subject, or which may have since become subject, to dower. Delay allowed to enregister.

Immoveables  
devolving to  
husband after  
such delay  
subject to  
registration.

3. As to immovables which may devolve upon the husband and become, after such delay of two years, subject to any dower then maintained by being enregistered at the proper time, they shall remain subject to the enregistration prescribed by the said article 2116.

Who may  
avail them-  
selves of want  
of registration.

4. Third parties, who shall have subsequently become proprietors or creditors and shall have enregistered their titles, may nevertheless alone claim the benefit of the default of registration, with respect to immovables so acquired by the husband after the said two years.

Effect of want  
of registration  
as to certain  
servitudes.

5. In default of the enregistration of the deed creating the same, no real, discontinuous and unapparent servitude, hereafter created and constituted by title, shall have any effect as regards third parties who shall have become proprietors or creditors subsequent to the passing of this act, and whose rights have been or shall have been enregistered.

Delay allowed  
for enregistra-  
tion of servi-  
tudes.

6. A delay of two years, dating from the coming into force of this act, is granted to the parties interested, for enregistering the servitudes above-mentioned, created before the coming into force of this act, after which delay, if they be not enregistered, such servitudes shall be inoperative as regards third parties who may, subsequently, become proprietors or creditors, and whose rights have been or shall have been enregistered.

Renewal of  
registration of  
servitudes in  
certain cases.

7. Within two years after the coming into force of this act, in registration divisions in which the cadastre is now in force, within two years next after the coming into force of the cadastre, in the other registration divisions, the enregistration of any conventional servitude affecting any lot of land included in such registration division must be renewed by means of a transcription in the books kept for that purpose, of a notice describing the immovable affected in the manner prescribed by article 2168, and by observing the formalities required by article 2131, of the Civil Code.

Publication,  
&c., of this act  
by registrars.

8. Within one month from the receipt of this act, and of the schedule hereto annexed, every registrar, prothonotary of the superior court, or clerk of the circuit court, to whom the government shall have sent a copy of the said act and schedule, shall read or cause the same to be read publicly at the door of the parish church or of the principal church of the locality, in which is situated the registry office or court, on each of the four Sundays following such receipt, and shall post up the schedule on the door of the church,

and in some conspicuous place in the registry office or office of the court, in which such office he shall keep the same posted up during the entire period of the delay of two years, mentioned in the preceding sections.

9. The prothonotary or clerk shall also read such schedule publicly on the first day of each of the four terms of the superior or circuit courts, following such receipt.

Publication,  
&c., of sche-  
dule by pro-  
thonotaries.

10. In places where there is neither prothonotary, clerk, nor registrar, the above formalities shall be fulfilled *mutatis mutandis* by the public officers or all other public persons to whom the above act and schedule shall have been forwarded by the government.

Who may pu-  
blished if no  
such officers.

11. The present act shall come into force on the day of its sanction.

Act in force.

## SCHEDULE

### PUBLIC NOTICE

Is hereby given that in virtue of the act 44-45 Victoria, chapter 16, article 2116 of the Civil Code is declared to apply to customary dowers created before the 1st of August 1866 ;

That in virtue of the said act, all the said dowers shall become null and void, unless they be enregistered within two years from the passing of the said act, as regards third parties who may become proprietors or creditors after the passing of the act, and who shall have enregistered the titles giving them claims upon the immovables originally subject, or which hereafter become subject to dower ;

That with respect to immovables which may devolve upon the husband and become, after the expiration of such delay of two years, subject to any dower then maintained by being enregistered at the proper time, they shall remain subject to the enregistration prescribed by the said article 2116.

Also that, in default of the enregistration of the deed creating the same, no real, discontinuous and unapparent servitude hereafter created and constituted by title shall have any effect as regards third parties who may subsequently become proprietors or creditors, and whose rights have been or shall have been enregistered.

That a delay of two years, dating from the coming into force of this act, is granted to the parties interested for the enregistration of the servitudes above-mentioned created



before the coming into force of this act, after which delay if not enregistered, such servitudes shall become inoperative as regards third parties who may become proprietors or creditors subsequent to the passing of this act, and whose rights have been or shall have been enregistered.

## CAP. XVII.

An Act to secure the payment of builders and workmen.

[Assented to 30<sup>th</sup> June, 1881.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Builders and  
others to keep  
pay list.

Form.

Procedure of  
workmen, if  
unpaid.

Form of claim.

Several may  
join in claim.

Assignment  
provided for.

**1.** Every builder or contractor, whether chief or sub-contractor, who shall employ workmen by the day or by piece work, to carry out his contract, shall keep a list, drawn up in the form of the schedule A, annexed to this act, showing the names and wages or price of the work of such workmen, and every payment to them made shall be attested by the signature or cross of such workmen, in presence of a witness, who shall also sign the same.

**2.** On the last working day of every week, it shall be lawful for every workman who is unpaid, to deliver before a witness, to the proprietor for whom the work is being done, his claim in duplicate, in the form of schedule B annexed to this act; and from the time such claim shall be so produced, the price of the contract shall be deemed to be seized, up to the amount of the claim of such workman and every payment made to the contractor, so long as the latter shall not have established the payment of the claim of such workman, shall have no effect as far as the latter is concerned, who may claim payment of the amount from the proprietor, by a personal action in the same manner as he could have done from the contractor.

**3.** Several unpaid workmen may join in the same claim.

**4.** In case of an assignment by the contractor to a third party of the price of the work, the claim of the workman shall, with respect to such third party, have the same effect as it would have had with respect to the contractor if no such assignment had been made.

SCHEDULE A.

PAY LIST of the workmen employed by A. B. (*name of the contractor*) upon the works being executed for  
C. D. (*name of the proprietor*).

Name of the workmen.	Number of days.	Salary per day.	Nature of job.	Price of job.	Total amount due.	Receipt. <i>Signature of workman.</i>	Signature of witness to payment.

## SCHEDULE B.

## CLAIM OF WORKMAN TO BE DELIVERED TO THE PROPRIETOR.

To C. D. (*name of the proprietor.*)

SIR,

In presence of the undersigned witness I, (*or we*) E. F., (*name of the workman or workmen*) declare that A. B. (*name of the contractor*) owes me (*or us*) a sum of \$        for (*number of days*), employed at your work, at (*place*) (*or*) a sum of \$        (*if it is by the piece or job*), which sum the said A. B. (*name of the contractor*), your contractor refuses or neglects to pay me (*or us*).

Made in duplicate at       , this        day of       , 18

(Signed)        E. F.

*Signature of workman or workmen.*

(Signed)        G. H.

Witness.

## CAP. XVIII.

An Act to exempt from seizure one-half of the wages of laborers.

[Assented to 30th June, 1881.]

WHEREAS it is advisable to exempt from seizure one-half of the wages of laborers; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

One-half of laborers wages not liable to seizure. 1. Hereafter, wages due to laborers shall be liable to seizure only for a proportion not exceeding one-half.

Application of word "laborer." 2. The word: "laborer" shall apply only to those who work and are paid by the day, by the week, or month, (*operarius.*)

Act in force. 3. The present act shall come into force on the day of its sanction.

## CAP. XIX.

An Act to amend the law respecting public instruction.

[Assented to 30th June, 1881.]

**W**HEREAS it is expedient to amend the law of public instruction in this Province as regards the appointment of School Commissioners; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Section 42, of Chapter 15, of the Consolidated Statutes C. S. L. C., c. 15, s. 42, amended. for Lower Canada is amended, by adding the following words at the end thereof:

“Except in the case when the office has been declared vacant by a competent judge or tribunal, who, in such case, shall order a new election to replace the commissioners or trustees, whose nomination has been annulled, and shall name to that end a person to preside over such election, which shall be held on the fifteenth juridical day after the date of the said judgment.

Public notice of such election shall be given in the manner required by section 34 of the said Act by posting copies of the said judgment.” Notice of such election.

## CAP. XX.

An Act to further amend the “Town Corporations General Clauses Act,” 40 Victoria, chapter 29.

[Assented to 30th June, 1881.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Section 229 of the Act, 40 Victoria, chapter 29, is 40 Vic., c. 29, s. 229, amended. amended, by adding after the word: “works,” in the third line thereof, the following words: “or any manufacturing establishment.”

2. This Act shall come into force on the day of its sanction. Act in force.

## CAP. XXI.

An Act to amend the Law concerning Official Plans and Books of Reference.

[Assented to 30th June, 1881.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The following article is added after article 2174 of the Civil Code :

Art. 2174a added to Civil Code.

Alteration of official plans in certain cases by Commissioner of Crown Lands.

" 2174a. If, after the deposit of the official plan and book of reference for any locality in any registry office, such locality or part of such locality is annexed, for enregistration purposes, to another locality situated either in the same or in a neighboring registration division, in which article 2168 of the Civil Code is not yet in force, the Commissioner of Crown Lands shall, without delay, note in the plan and book of reference of the locality affected, and in the copies so deposited, the change made in the limits of such locality by the above-mentioned annexation ;

" In the case in which, after the deposit of the plan and book of reference of any locality in a registry office, such locality or part thereof is annexed to another, situated in a neighboring registration division, in which the plan and book of reference have been deposited, and in which article 2168 of the Civil Code is in force, the Commissioner of Crown Lands shall, without delay, note the change upon the plan and in the book of reference of the locality annexed and in the copy deposited, and cause an extract of the plan and book of reference to be prepared, showing the portion annexed, and have the same deposited in the proper registry office.

Notice of change in Quebec Official Gazette.

" In both the cases hereinabove provided for, the Commissioner of Crown Lands shall give notice of each change by publishing the same in the *Quebec Official Gazette* and posting it, during one month at least, in the registry offices interested."

Act in force.

2. This act shall come into force on the day of its sanction.

## CAP. XXII.

Act to amend certain articles of the Municipal Code.

[Assented to 30th June, 1881.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Art. 637 municipal code amended.

1. Article 637 of the Municipal Code is amended by adding after the word : "wasted," at the end of the said article, the following paragraph :

Municipal corporations may grant privileges to parties who undertake water works.

" To grant, for a fixed number of years, to any company, person, or society of persons, who shall undertake to construct an aqueduct, public wells or reservoirs, or who shall assume the management thereof, an exclusive privilege.

lege of laying pipes to supply water within the limits of the municipality, and enter into a contract for such supply of water for one or more years, but for a period not to exceed twenty five years."

2. Article 637a of the said Code is amended by striking out the words: "by the electors of the municipality," in the thirteenth and fourteenth lines of the said article, and by replacing them by the following: "by the majority of the electors being proprietors of real estate in the municipality who vote on such by-law," and by adding after the words: "in council," the words: "provided always that the number of those who vote in favor of such by-law is at least one third of the total number of electors being proprietors."

Art. 637a municipal code, amended.

3. Article 637b of the said Code is amended by striking out the words: "by the electors of the municipality," in the sixth and seventh lines, of the said article, and replacing them by the following: "by the majority of the electors being proprietors of real estate in the municipality who vote on such by-law," and by adding after the said section the words: "provided always that the number of those who vote in favor of such by-law is at least one third of the total number of electors being proprietors."

Art. 637b municipal code, amended.

4. Article 1061 of the said Code is amended by replacing sub-section 3 by the following:

S. 3 of Art. 1061, replaced

"3. From any decision given by a municipal council Appeals in virtue of articles 734, 738, 746 and 746a respecting the valuation roll, whether the decision be rendered by the council, of its own motion, or on complaint against the roll produced before it.

5. The said article 1061 is further amended by adding thereto the following paragraph:

Art. 1061, further amended.

"The costs of appeal shall be taxed at the discretion of the judge, for or against such of the parties, municipal corporation or councillors personally, as he shall deem advisable, and shall be recoverable under a writ of execution issued in the usual manner."

Costs of appeal.

6. Article 1080 of the said Code is amended by striking out the word: "Huntingdon," in the third line thereof, and further by adding after the word: "Roxton" the word: "and the municipality of the township of Leeds, in the county of Megantic."

Art. 1080 municipal code, amended.

7. This act shall come into force on the day of its sanction.

Act in force.

## CAP. XXIII.

An Act to change the *chef-lieu* of the judicial district of Kamouraska.

[Assented to 30th June, 1881.]

## Preamble.

**W**HEREAS the *chef-lieu* of the judicial district of Kamouraska, which is now in the village of St. Louis de Kamouraska, in the county of Kamouraska, is no longer the true centre of the population of the said district ;

Whereas the most central locality, both from its population and its commercial transactions, is the town of Fraserville, in the county of Temiscouata ;

Whereas the court house and gaol of Kamouraska have been destroyed by fire, and it would be in the interest of all the inhabitants that they should be rebuilt in the most central locality of the said district ; and considering the offer made by the corporation of the town of Fraserville to build the said court house and gaol at its own expense ; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Transfer of  
*chef-lieu* of  
Kamouraska  
to town of Fra-  
serville, under  
certain condi-  
tions.

1. So soon as the corporation of the town of Fraserville, in the county of Temiscouata, shall have built, in the said town, a court house and gaol suitable, in every way, for the administration of justice, the lieutenant governor in council may, by proclamation, abolish the judicial *chef-lieu* of the district of Kamouraska, now established at the village of St. Louis de Kamouraska, and transfer the same to the said town of Fraserville, in the county of Temiscouata, for all purposes connected with the administration of both civil and criminal justice.

Cost of build-  
ing court  
house by  
whom borne.

2. Such court house and gaol shall be built at the expense of the corporation of the town of Fraserville, and shall be completed within two years from the passing of this act.

Control of  
building such  
court house.

3. The work of construction shall be performed under the direction of the Commissioner of Agriculture and of Public Works, and in accordance with the plans, specifications and estimates which shall be supplied by the said Commissioner and approved by the Lieutenant Governor in council.

Debentures  
heretofore  
issued, to be  
assumed by  
province.

4. The debentures hitherto issued to defray the expenses of the court house and gaol of the judicial district of Kamouraska shall be assumed by the province.

5. All special taxes, imposed upon the district of Kamouraska, in accordance with the act 12 Victoria, chap. 112, shall cease to be levied, from and after the transfer of the *chef-lieu*, under this act, and thereupon the taxes for the said district shall be levied, as provided in the order in council of the 30th November, one thousand eight hundred and sixty one, for the districts therein mentioned. Certain special taxes to cease after transfer.

6. Hereafter, if any balance remains in any year of the building and jury fund, such balance shall, after the payment of the expenses authorized by law, go towards reimbursing the corporation of the town of Fraserville for the cost of building the said court-house and gaol and the interest accrued upon the cost of such building; and the said balance shall be paid over to the said corporation at the expiration of each fiscal year, by the Provincial Treasurer. Employment of balance of building and jury fund.

7. When the transfer of the *chef-lieu* shall have been effected in accordance with this act, the Lieutenant Governor may, by an order in council, published in the *Quebec Official Gazette*, order, within a delay to be in his discretion determined, the removal of all the records, registers, documents, archives, vouchers and judicial proceedings of the court, sitting at the village of St. Louis de Kamouraska, to the new *chef-lieu*, in the town of Fraserville, in the county of Temiscouata and all judicial affairs connected with the present *chef-lieu* of the district of Kamouraska shall, from and after the expiration of such delay, be transacted in the said town of Fraserville. Transfer of records after transfer of chef-lieu.

8. It shall be the duty of the sheriff, prothonotary, clerk and other officers of the judicial district of Kamouraska, to effect the removal of the aforesaid documents, within the delay prescribed by the Lieutenant Governor in Council, under penalty of a fine of five hundred dollars and, in default of payment, imprisonment for six months. Duties of certain officers respecting transfer.

9. In the event of the neglect or refusal of such officers, to perform the services required of them by the next preceding section, the Lieutenant Governor in Council, may authorize any other competent person to effect such removal, and the costs and disbursements, occasioned by such removal, shall be paid by the province. Refusal of officers to make such transfer.

10. After the removal of the aforesaid documents, all proceedings, already commenced, shall be continued in the said *chef-lieu* at Fraserville, as if they had been taken and commenced therein. Costs of such removal.



**Suspension of prescription.** **11.** Prescription and all judicial delays, in any case pending at the *chef-lieu* so abolished, shall be suspended and cease to run from the day fixed for the removal of the aforesaid documents, until the first day when the sittings of the court shall be held at the new *chef-lieu*.

**Continuance of proceedings.** **12.** It shall not be necessary, for the continuance of proceedings in such pending cases, that any fresh notice be given.

**Circuit court of Green Island not to be affected.** **13.** The change in the place of the *chef-lieu* of the judicial district of Kamouraska shall not affect the existence of the circuit court, sitting at Green Island, in the county of Temiscouata.

**Court house & gaol a public work.** **14** The court house and gaol, thus built in the said town of Fraserville, shall be considered a public work and be under the control of the commissioner of public works.

## CAP. XXIV.

An Act to further amend Chapter 63 of the Consolidated Statutes for Lower Canada, intituled : "An Act respecting Mutual Insurance Companies."

[Assented to 30th June, 1881.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**C. S. L. C., c. 68, s. 4, §. 3.** **1.** Sub-section 3 of section 4 of Chapter 68 of the Consolidated Statutes for Lower Canada, is repealed and replaced.

**Mutual insurance companies cannot insure outside their country.** **3.** In future, no Mutual Insurance Company shall have the right to effect insurances, outside of the county or counties in and for which it is established.

**Policies already issued provided for.** The policies, issued by any Mutual Insurance Company before the passing and coming into force of this Act, shall remain in force, until they expire, and the parties insured shall have the same rights and privileges and be subjected to the same obligations as before the passing and coming into force of this Act."

## CAP. XXV.

An Act to amend the Act, 42-43 Vict., Chap. 39, intituled : "An Act to establish Mutual Assurance Companies."

[Assented to 30th June, 1881.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 1 of the act 42-43 Vict., chap. 39, is amended, <sup>42-43 Vic., c. 39, s. 1, amended.</sup> by replacing the words: "lightning or wind," in the said section, by the words: "or fire and lightning or fire from lightning and by wind."

2. Section 2 of the said act is repealed.

*Id. c. 39, s. 2, repealed.*

3. Section 9 of the said act is amended by adding there- <sup>*Id. c. 39, s. 9, amended.*</sup> to the following words: "if the by-law establishing the assurance, does not prohibit the insurance of such articles."

4. The present act shall come into force on the day of <sup>Act in force.</sup> its sanction

## CAP. XXVI.

An Act to permit Municipal Corporations to Capitalize their Debts.

[Assented to 30th June, 1881.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. It shall be lawful for any municipal corporation of a <sup>Municipal corporations may capitalize debts.</sup> city, town, village, parish, township or other municipal corporation to capitalize their debts, lawfully contracted by them, under by-law heretofore passed and submitted to the electors, and to stipulate the payment by annuities for a term not exceeding fifty years.

2. The interest upon the capitalized debt shall, in no case, <sup>Rate of interest thereon.</sup> exceed the rate of six per cent., per annum, and shall be payable at such times as shall be agreed upon, yearly or oftener.

3. Corporations may, by a resolution of the council, <sup>Municipal corporations may issue debentures to amount of debt</sup> issue debentures for the amount of such capitalized debt, payable at such time and in such places as shall be fixed in the said debentures.

4. It shall not be necessary to submit such by-law for the <sup>Approval by electors not required.</sup> approval of the electors.

## CAP. XXVII.

An Act respecting the Bar of the Province of Quebec.

[Assented to 30th June, 1881.]

WHEREAS it is expedient to repeal, consolidate and <sup>Preamble.</sup> amend the acts respecting the Bar of the Province

of Quebec ; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

#### INCORPORATION OF THE BAR.

**Advocates, &c. formed into corporation.** **1.** The advocates, barristers, counsel, attorneys, solicitors and proctors at law of the province of Quebec shall form a corporation under the name of: "The Bar of the province of Quebec" which, in the present act, may be called by the short title of "the general corporation."

**Name.**

**Division into sections.**

**2.** The said corporation, saving the provisions of the act of this province, 32 Victoria chapter 27, is for the present divided into sections as follows, to wit: one section for each of the present sections of Montreal, Quebec, Three Rivers, and St. Francis.

The district of Gaspé, for the purposes of the present act, shall form part of the Quebec section.

**New sections provided for.**

In case new sections are formed in any of the new districts, such sections shall then form part of the corporation, which shall then be divided into as many sections as are formed.

**Each section a separate corporation.**

**3.** Each of the said sections shall form a separate corporation under the name of: "the Bar of (*Montreal, Quebec, Three Rivers, St. Francis* or any other district in which new sections are formed), and shall be composed of the practising advocates domiciled in each of the said sections respectively.

**Powers of such corporations.**

**4.** Each of such corporations shall possess all the powers conferred upon civil corporations by the law of this country, but none of them can acquire immovables to the value of more than fifty thousand dollars.

**Service upon such corporations.**

**5.** All actions, brought against any of the said corporations, must be served, in the usual manner, upon the Bâtonnier or upon the Secretary of such corporation, either personally or at his office, and every other service must be made in the same manner.

**Seal of the corporations.**

**6.** Each of the said corporations shall have a common seal, with the name of the corporation inscribed thereon.

#### BY-LAWS.

**Power to pass by-laws for certain purposes.**

**7.** The general corporation may make by-laws for the maintenance of honor, dignity and discipline among the members of the Bar; regulate the manner of conducting

examinations ; superintend the general roll of advocates in the province, as to the preparation, publication and amendment of the same, if need be.

8. Each of the said corporations may also make by-laws <sup>Power to pass by-laws for certain purposes.</sup> for the management of its property and generally all by-laws of general interest to the said corporation and the members thereof.

Such by laws shall come into force fifteen days after <sup>Coming into force of by-laws.</sup> they are passed ; those of the general corporation shall be forwarded without delay by the secretary-treasurer to the secretaries of sections.

9. The said by-laws must not be contrary to the provisions of this act, and those of the corporation of a section must not be contrary to the by-laws of the general council, nor to any of the subjects, mentioned in Section 75. They may all be amended or repealed. <sup>Restriction.</sup>

10. The present by-laws, not inconsistent with the provisions of this act, shall remain in force until they shall be repealed. <sup>Present by-laws.</sup>

#### COMPOSITION AND SITTINGS OF THE GENERAL COUNCIL.

11. The powers conferred upon the general corporation by this act shall be exercised by a general council, composed of the Bâtonniers and a delegate appointed annually by the councils of each section. <sup>Powers of general corporation to be exercised by general council.</sup>

12. The general council, shall yearly select from among its members, a president, who shall be known under the name of the : " Bâtonnier of the Province of Quebec " and shall select from amongst the advocates in the Province, of at least ten years' practice, a Secretary-Treasurer, who shall be a member of the council. <sup>Officers of the general council.</sup>

13. Every act, required to be performed by the Secretary-Treasurer of the General Council, may, in the event of his failing or being unable so to do, be performed by the Bâtonnier of the Province of Quebec or by such other officer appointed by the general council, as assistant to or substitute for the Secretary-Treasurer. <sup>Duties of Secretary-Treasurer may, in his absence, be performed by a substitute.</sup>

14. The members of the general council shall meet within the thirty days following the election of Councils of Sections. <sup>Meeting of general council.</sup> ✓

The first meeting shall be held at Quebec.

Subsequent annual meetings will be held alternately at Montreal, Three Rivers, Sherbrooke, Quebec and at the <sup>Place of first meeting. Of subsequent annual meetings.</sup>

*chef lieu* of the districts, in which new sections are formed ; and special meetings may be held, at the desire of the General Bâtonnier and of the Secretary of the Council, at the place appointed by them ; the day and hour shall be indicated by the secretary-treasurer of the General Council, in the notice of the meeting.

Quorum of council.

**15.** The quorum of the General Council shall be the majority of the members of the said council ; every question submitted shall be decided by the majority of the members present.

Bâtonnier's right to vote.

**16.** The Bâtonnier of the Province, or the president, elected in his absence, shall have a right to vote and shall also have a casting vote.

Precedence.

The Bâtonnier of the Province shall take precedence over the other members of the Bar.

#### COMPOSITION OF COUNCILS OF SECTIONS.

Composition of councils of sections.

**17.** The council of each section shall be composed of a Bâtonnier, a Syndic, a Treasurer, a Secretary and of members of sections as follows : eight for the Quebec section, eight for the Montreal section, three for the Threc Rivers section, three for the St. Francis section and three for each new section formed in the future : the majority of the members of each of the said councils shall form a quorum, and every question submitted to the said councils shall be decided by the majority of the votes of the members present ; the Bâtonnier, or temporary president, selected in his absence, shall have a right to vote and shall also have a casting vote.

Election of councils of sections.

**18.** The election of the council of a section shall be by ballot, by the members of the section qualified to vote, at the annual meeting held on the first juridical day of the month of May in each year. The council shall enter into office immediately.

Entry into office.

Right to vote.

**19.** The members of the Bar, qualified to vote are all those who have right to practise and who have paid to the treasurer of the section all subscriptions and arrears thereof, due either in virtue of the present or any previous act.

Subsequent meeting if election is not held.

**20.** In case an election cannot, for any cause whatsoever, be held on the day appointed, it shall take place at a meeting, specially called by the secretary or, in his absence, by the syndic, by order of the Bâtonnier in office, or on the requisition of six members of the section.

It shall be the duty of the Bâtonnier to call such meeting, in case the secretary or the syndic shall, by the fifteenth of May, not have given the required notice; it may be called by six members of the Bar of the section, at any time after the twentieth of May. Notice of such meeting. ✓

**21.** The failure to hold the meeting at the appointed time shall not necessarily involve the dissolution of the corporation, and the officers elected by the section or by the council, including the members of the general council, shall remain in office until they shall have been legally replaced. Failure to elect council does not dissolve corporation.

**22.** The quorum at all meetings of sections for the sections of Quebec and Montreal shall be twenty members, and for those of Three Rivers, St. Francis and the other districts, eight members. Quorum of sections. ✓

**23.** Special meetings of sections may be held and be called on by the Secretary, on the order of the Bâtonnier or on the requisition of six members of the section. Special meetings.

**24.** Notices of meetings shall be given in accordance with the by-laws and usages of the section. Notices of meetings.

**25.** The council of each section shall have power, with regard to the members of the section : Power of councils of sections :

1. To pronounce, through the Bâtonnier, as the importance of the case may require, a censure or reprimand against any member guilty of any breach of discipline, or of any act derogatory to the honor or dignity of the Bar, of exercising or of having exercised any calling or trade, of being engaged in any industry, or of carrying on any business, or holding any office inconsistent with the dignity of a member of the Bar, and to deprive such member of the right of voting and of the right of attending the meetings of the section, for any term whatsoever, in the discretion of the council, not exceeding five years, and may also, according to the gravity of the offence, punish such member by suspending him from his functions, for any period whatsoever, in the discretion of the said council, and may deprive him for ever of the right of practising the profession of advocate. To censure members.

To suspend members.

In the absence of a by-law of the general council applicable to a particular case, the said council of the section shall, to the exclusion of every other court, decide definitely whether the act complained of is derogatory to the honor, dignity or discipline of the Bar, and the calling, trade or industry, business or office is inconsistent Decision final.

with the dignity of the profession, subject only to appeal to the general council, as hereinafter provided.

**Costs.** 2. To condemn either party to costs or apportion the same at its discretion.

**Settle differences.** 3. To prevent, reconcile and settle all differences between members of the section, concerning professional matters or between advocate and client.

**Law Society may be established.** **26.** The council it may establish, organize and maintain a Law Society for the benefit of the members of the Bar and students at law, and for that purpose may pass all by-laws it may deem advisable and repeal or amend the same at pleasure; it may also appoint such officers, as may be deemed necessary, and assign to them their special duties and functions, and generally do all that it may consider to be of a nature to ensure the existence and efficiency of such society; it may also dissolve the same at pleasure.

**Officers.**

#### DUTIES AND POWERS OF OFFICERS.

**Duties of Bâtonnier.** **27.** The Bâtonnier of each section may convene special meetings of the section or of the council whenever he may deem it advisable: he shall see to the observation of the by-laws and the maintenance of order at meetings, and may call to order and reprimand those who infringe them.

**Precedence.** He shall have precedence over the other members of his section.

**Duties of secretary.** **28.** The secretary of each corporation shall record the proceedings of the meetings of the corporation and of those of the council, and shall enter minutes thereof, in a book to be kept for that purpose; he shall also be the keeper of the archives of the corporation which shall be deposited in a place of safety, to be fixed by the council.

1. He shall deliver all copies, certificates or extracts which may be required, and the copies or extracts, signed and certified by the secretary and sealed with the seal of the corporation, shall be admitted as authentic in all courts of justice in the province.

**Absence provided for.** 2. In the absence of the secretary the syndic shall fulfil his duties.

**Duties of treasurer.** **29.** The treasurer of each corporation shall keep the funds, shall pay all sums, the expenditure whereof is authorized either by the council or a committee or, in case of urgent necessity, by the Bâtonnier, and shall render an

account of his administration, to wit: the treasurer of the general council, at the first meeting of the council, which shall be held after the first of May in each year, and whenever he shall be so required by the council; the treasurers of sections, annually, at the meeting held for the election of the council, and whenever they shall be so required by the council.

The account, so rendered, shall include a statement showing the amount of money deposited in the bank to the credit of the corporation, and shall mention all the cheques drawn on the bank, and all disbursements, and shall be accompanied by vouchers.

In the absence of the treasurer the syndic shall fulfil his duties. Absence of treasurer provided for.

**30.** All monies belonging to corporations of sections shall be deposited in the name of the corporation, without delay, in a bank designated by the section and, until such designation be made, in any incorporated bank in Canada; no amount exceeding fifty dollars can be withdrawn except by means of a cheque, signed by the treasurer, and countersigned by the Bâtonnier; for every sum less than fifty dollars, the signature of the treasurer alone shall be sufficient. Deposit of funds. Payment of moneys.

**31.** Councils of sections may appoint, every year, a committee of not less than five members of the section, whose duty it shall be to superintend the library belonging to the said section, which shall be under its control, and under the direction of the council, to purchase books for the library and regulate the expenditure in connection therewith. Library committee.

The said council shall yearly appoint auditors to examine the accounts, and it may also appoint finance and such other committees, which it may deem advisable to appoint, and to which it may delegate such powers as it pleases. Auditors.

**32.** In case of absence, illness, death, dismissal or refusal to act of any of the officers of the general council, or of the council of any section, his place shall be filled, temporarily or permanently, according to circumstances, by the council to which he belongs. Temporary replacement of officers.

#### ADMISSION TO THE STUDY AND PRACTICE OF THE PROFESSION.

**33.** The examination of candidates for the study and practice of the profession shall be under the control of the general council. General council controls examinations.



When held.

1. The examinations shall take place, twice in each year, on the second Wednesday of the months of January and July; such examinations shall afterwards be continued, from day to day, or they may be adjourned for a period of time not exceeding eight days, on the decision of two-thirds of the examiners present.

First and subsequent examinations where held.

2. The first of such examinations, to take place after the passing of the present act, shall be held in the city of Quebec, and afterwards at Three Rivers, Montreal, Sherbrooke, and the *chef lieu* of the districts in which new sections are formed, and this order shall be continued from year to year, alternately, in each of the said sections.

Appointment of examiners.

3. The council of each section shall, within the eight days following the election of its members, appoint from among the members of the said section four examiners who may, at any time, be replaced by the council of their section, if need be.

Division into two boards.

4. The examiners may divide themselves into two boards of examiners, one for admission to practice and the other for admission to study; they shall be chosen, as far as possible, in equal numbers from each section, and their quorum shall be five; the candidate shall only be admitted by the majority of the votes of the board and, in case the votes are equally divided, he shall not be admitted.

Quorum.

Appointment of persons to act as examiners.

34. The general council may appoint persons, selected from outside the profession, to assist them in the written and oral examination of candidates for admission to the study of the profession and may pass regulations, to determine their duties and salaries.

Expenses of examiners.

35. The expenses of the examiners for travelling and board, shall be paid them by the general council, at the rate of five dollars *per diem*.

Secretary of examiners.

36. The secretary-treasurer of the general council shall *ipso facto*, be, the secretary of the examiners, and it shall be his duty to attend the examinations and give assistance to the examiners; his expenses shall also be paid.

Notice given to examiners.

37. The secretary-treasurer of the general council shall, before each examination, require by letter the examiners to prepare the examination questions.

Notice by candidate for examinations.

38. Notice, in writing, shall be given by the candidate, at least one month before hand, to the secretary of the section in which he resides, or in which he has resided during the past six months; this notice shall contain the following information, to wit:

What to contain.

1. The candidate for admission to study shall mention his name, surname, age and residence, the schools and colleges and places in which he has been educated, if he has held a situation, or been engaged in any trade, industry or business or occupied any office whatsoever, he shall state the same in detail.

2. The candidate for admission to practice shall mention his name, surname, age, residence, the date of his admission to study, the various places in which he has resided during his clerkship, the name of the advocate under whom he has studied law ; he shall mention when he was absent from the office of his patron, for over a month at a time, the cause of each of such absences, whether such absences were authorized by his patron, how long they lasted and the reasons therefor ; whether during his clerkship he practised any profession, engaged in any business or fulfilled the duties of any office or was employed in any capacity outside of the office of his patron, and the nature of such profession, business, office or employment ; he shall, at the same time, hand in a certificate from his patron respecting the period of time during which he studied under him ; the certificate shall also declare whether, during his clerkship, he has exercised any profession, been engaged in any business or filled any office outside of his legal studies ; whether he has fulfilled his duties as a student faithfully and diligently.

These declarations of the student shall be made in accordance with the statute of Canada, passed in the thirty-seventh year of Her Majesty's reign, chapter 37, intituled : " An act for the suppression of voluntary and extra-judicial oaths." Declarations under 37. Vic. of cap. 37.

39. The secretaries of sections shall prepare a list of the names of candidates for admission to study and practice, which shall be posted up, during one month, on the door of the robing-room or library of the section, and shall immediately transmit a duplicate thereof to the Queen's printer for this Province, who shall publish it twice, gratuitously, and without delay, in the *Quebec Official Gazette* ; this list shall contain the name, surname and residence of the candidate, his age and, in the case of a candidate for admission to study, the names of the schools or colleges in which he has studied, or his previous employment. List of candidates for examination. What to contain.

40. In giving the said notice, candidates shall pay, to the secretary of the section, a fee of two dollars, and shall deposit with the treasurer of the section the following sums, namely : candidates for admission to study, a sum of twenty dollars, and candidates for admission to practice a sum of fifty dollars. Fees on notices.

Return of portion of such fees in certain cases.

In the event of the candidates not being admitted to study or to practice, such amount shall be returned to them, less the sum of ten dollars, mentioned in section 99 of this act.

Notices to be forwarded to general secretary.

**41.** It shall be the duty of the secretary of each section to forward *instantly* to the general secretary the notices he has received from the candidates and all papers and documents which may accompany them; and it shall be the duty of the treasurer of each section to forward immediately to the general secretary-treasurer a sum of ten dollars, out of each deposit which he shall have received as aforesaid, to meet the expenses of the examination and those of the general council.

Candidates not to be examined unless fees are paid.

**42.** No one shall be allowed to present himself for examination unless he has paid in the amounts above mentioned.

Requisites for admission to study.

**43.** No one shall be admitted to the study of law unless he proves to the satisfaction of the examiners that he has received a liberal and classical education and unless he undergoes, to the satisfaction of the examiners, a written and oral examination on the subjects indicated in a programme, printed and published under their supervision or that of the council.

Requisites for admission to practice.

**44.** No one shall be admitted to practice profession, of advocate, unless he has attained the age of twenty one years and has studied, regularly and without interruption, during ordinary office hours, under indentures entered into before a notary, as clerk or student, with a practising advocate, during at least five consecutive and entire years; nevertheless, a student, who shall have followed, during two years, a regular course of lectures on Law in a University or College of this Province, in which such a course of lectures on Law is established, may be admitted after having studied for four years, and he, who shall have followed such course of lectures during three years and taken a degree in Law at such University or College, may be admitted, after three years study.

Report to lieut.-governor by certain colleges.

**2.** The Lieutenant Governor may, from time to time, require from all universities or incorporated colleges, in which it is claimed that such course of law is established, a report showing, at length, the curriculum of such course of law, and he may, by order in council, published in the *Quebec Official Gazette*, declare that he approves it, if it be deemed sufficient or he may prescribe such other curriculum, as he thinks proper; and no diploma or degree in law shall avail, under the present section, unless it be

granted in accordance with the requirements of such order in council.

**45.** Students may present themselves for examination at Time when the session which is nearest the expiration of their term of clerkship; but the diploma, conferring upon them the title of advocate, cannot be granted them, until the expiration of their clerkship. students may come up for examination.

**46.** Any person, admitted to practise the profession of Barrister, in any of the provinces of Canada, under the laws of such province, may, on producing sufficient proof of the fact and certificates of good conduct, and on passing an examination in the laws of the province of Quebec, to the satisfaction of the examiners, obtain from the general Bâtonnier, a diploma authorizing him to practise as an advocate all courts of justice in the province of Quebec. Admission of Barristers of others provinces to practise in province.

But such person shall, previously, give notice to the secretary of the section in which he resides or, in the event of his not residing in the province, to the secretary of the section in which he intends to reside, and pay a sum of one hundred and twenty dollars, or such other and further sum, which may be exacted in the province in which such Barrister resides; the treasurer of the section shall forward twenty dollars out of this amount to the secretary-treasurer of the general council. Notice required.

1. The power granted by this section shall extend only to the Barristers of the province, in which the same privilege is granted to advocates of the province of Quebec. Restriction.

2. Any person, being a member of the Bar of any of the provinces of Canada, in which the same privileges are granted to the advocates of this province, shall have the right to appear and act as an advocate before all the courts of this province, having criminal or correctional jurisdiction. Right of Barristers of certain other provinces to plead in criminal courts.

**47.** It shall be the duty of the examiners to inquire into the morals, knowledge, capacity and qualifications of candidates and, for such purpose, they shall have the right to summon and examine under oath, to be administered by one of them, the candidate or any other person, and to put to them any question, pertinent to the inquiry; and such examiners or the majority of them shall have the same powers as the Superior Court to compel the witnesses to appear and to answer, under oath, in the manner and under the penalties prescribed by the code of civil procedure of this province. Duties of examiners. ✓

No proceeding or decision of the said examiners nor any proceedings adopted by them or done before them in the Decision of examiners

final and without appeal. . . . course of the examinations, shall be liable to be attacked, annulled or quashed in any manner whatsoever, not even by *certiorari*, but all their decisions shall be final and without appeal.

**48.** On a report in writing from the proper board, if two boards have been established as above mentioned, it shall be the duty of the examiners to report in writing to the Bâtonnier of the province of Quebec : if the report be favorable and establish that the candidate bears a good character, that he has the necessary capacity, knowledge and qualifications, and that he has fully complied with the law, the Bâtonnier of the province shall grant to the candidate for admission to study, a certificate of admission to study, and to the candidate for admission to practice, a diploma of admission to the bar of the province.

Certificates of admission to study and diploma to be given by the Bâtonnier.

Rights conferred by diploma.

**49.** The said diploma shall confer upon him the right to practise as an advocate, in all courts of justice of the province of Quebec, on the said candidate having previously taken an oath, well and faithfully to discharge his professional duties: the said oath shall be administered by the secretary-treasurer of the general council who shall certify the fact on the diploma.

Certificates and diploma how signed and sealed, &c.

**50.** The said certificate and diploma shall be signed by the Bâtonnier of the province, countersigned by the secretary-treasurer, and shall bear the seal of the general corporation; they shall be enregistered in full in the registers of the council, on payment to the secretary-treasurer of five dollars, of which three dollars shall belong to the council, and two dollars to the secretary-treasurer of such council, as a fee.

Duties of secretary-treasurer when candidates are admitted.

**51.** It shall be the duty of the secretary-treasurer of the general council to forward, without delay, to the secretary of each section to which the candidates respectively belong, the names and surnames, age and residence of the persons admitted to study or practise the profession and the date of their admission.

Registration of notices received.

The secretaries of sections shall enregister in a book, kept for that purpose, the notice so received by them.

#### QUALIFICATION AND DISQUALIFICATION OF ADVOCATES.

Advocates disqualified in certain cases.

**52.** No advocate shall practise in any of the courts of justice of the province, and all proceedings taken by him shall be absolutely null and void, in the following cases:

1. If he has been found guilty, by a court of competent jurisdiction, of any crime ranked as a felony, of perjury, subornation of perjury, or of one of the offences set forth in sections 93 to 95 inclusively of chap. 21 of the Statutes of Canada, 32-33 Victoria. If found guilty of felony, &c.

2. If his name be not inscribed on the general roll of advocates of the province. If his name is not on general roll.

3. If he has been suspended from his functions by a court of justice or by the council of his section or the general council. If he has been suspended.

**53.** The clerk of any court of justice, having criminal jurisdiction in the province, before which a trial of a member of the bar of this province has been had, shall immediately inform the secretary of the section to which the said advocate belongs, of the sentence pronounced upon him, and shall forward to the said secretary a copy of the entry of such sentence in the registers of the court. Duties of clerks of courts of criminal jurisdiction in certain cases.

1. If the offence be one of those mentioned in the first sub-section of section 52, the secretary of the section shall immediately forward the documents to the general secretary, who shall strike the said advocate's name from the Roll of advocates. Duty of secretary-treasurer if offence be felony, &c.

2. If the offence constitute a misdemeanor, other than those above mentioned, it shall be the duty of the secretary to inform the syndic, who shall immediately lay the said documents before the council of the section; it shall be the duty of such syndic to proceed, on such documents, as on an ordinary complaint. If offence be a misdemeanor, &c.

3. Every judgment of the Circuit Court, of the Superior Court or of a Court of Appeal in Canada, having jurisdiction over the affairs of the province, or of the Court of Queen's Bench, Crown Side, suspending an advocate from his functions or ordering his imprisonment for contempt of court or for any other reason, shall also be transmitted to the secretary of the section to which the said advocate belongs, by the clerk or prothonotary of the said court and the provisions of sub-section two of the present section shall apply to such advocate. Certain judgments to be transmitted to secretaries of sections.

#### GENERAL ROLL OF ADVOCATES.

**54.** The secretary of the general council shall yearly during the month of May prepare a general roll of all the advocates having a right to practise in the province. General roll to be prepared annually.

**Basis.**

1. He shall take as a basis the information and details supplied to him by the treasurers of sections, of libraries and the registers in his possession.

**What names included therein.**

2. The roll shall contain only the names of the advocates, sent by the treasurers of sections, as having paid their yearly subscriptions and all arrears of such subscriptions, provided, however, that their diplomas be enregistered in the registers of the general council, and that they be not under the effect of any sentence of disqualification or suspension from their functions.

**Names of those omitted for non-payment may be entered and how.**

**55.** Any advocate, whose name has been omitted from the roll for neglecting to pay all his subscriptions, may, at any time, pay those due to his section to the treasurer or, in his absence, to the secretary; and, on producing the receipts of the said officer, the treasurer or, in his absence, the secretary of the section, or the secretary-treasurer of the general council shall give to such advocate a certificate, under the seal of the corporation which he represents, showing that he has complied with the law and that he is entitled to practise, as if his name were on the roll of advocates, provided that such advocate be not under the effect of a sentence of disqualification or suspension from his functions; such advocate may, on producing such certificate, before the clerk or prothonotary of the Courts, practise as if his name were on the roll.

**Fee on entry.**

1. He shall pay a sum of one dollar as a fee to the officer who grants him such certificate, one dollar as a fee to the secretary-treasurer of the general council, and five dollars for the benefit of the treasurer of the general council.

**Name omitted on account of suspension how entered.**

2. Any member whose name is omitted, on account of a sentence suspending him from his functions, may, at the expiration of the period for which he was suspended, take out such certificate, for which he shall pay the said secretary and secretary-treasurer's fees.

**Member admitted after roll is made.**

**56.** Any member, admitted to practise, after the making of the table, may, by paying the sum of four dollars for his subscription for the current year to the treasurer of his section, obtain from him or the secretary-treasurer of the general council, a similar certificate, free of charge; and, upon notice from the treasurer of the section, the secretary-treasurer of the general council shall enter the name of such member on the roll;

**Name erroneously omitted.**

Any person, whose name has been erroneously omitted from the roll, shall obtain a similar certificate, *gratis*, on demand; without prejudice to any recourse in damages, or to complaint to the council to whom it appertains, if need there be.

**57.** The general secretary shall cause the roll of advocates to be printed at the cost of the general council, as soon as completed, and he shall forward five copies thereof, by post, without delay, duly certified by him to the secretary of each section, to be posted up by him as he deems fit, and one certified copy to every sheriff, clerk of the Circuit Court, clerk of the Court of Appeals, prothonotary of the Superior Court, clerk of the peace, district and police magistrate in this province, who shall post them up in a conspicuous place in the office of the court of which they are officers, and shall carefully preserve them.

Roll to be printed by general council, and copies to be sent to secretaries of sections, &c.

**58.** The secretary-treasurer of the general council shall forward a notice, under the seal of the general corporation, to all the prothonotaries and clerks above mentioned, ordering them to strike from the roll the names of any advocates which he may have struck out, under any of the provisions of the present act, and it shall be the duty of such prothonotaries and clerks immediately to strike out the name of such advocate from the roll in their possession and to put their initials and the date opposite such name; the secretary treasurer of the general council shall likewise give notice to the said clerks and prothonotaries, of any judgment suspending an advocate from his functions, for any period less than one year, and in such case, instead of striking his name from the roll, the clerk or prothonotary, makes a note thereof on the roll, with the date and his initials.

Notice to officers of courts to strike names from roll in certain cases.

Notice of suspension.

**59.** The prothonotaries of the Superior Court and the clerks of all the courts of justice in this province shall, from the moment they have been notified, refuse to recognize, as a practising advocate, any one whose name does not appear on the roll or has been struck therefrom, or who has been suspended, saving the provisions of sections 55 and 56 of the present act, and they are hereby forbidden to give or receive and produce any document asked for or offered by any such advocate.

Officers of courts cannot receive papers from advocates whose names are struck from roll.

**1.** Any sum paid on any document whatever, bearing the signature of such advocate, must be refunded, by such prothonotary or clerk, to the party in whose name the proceeding has been taken out.

Amounts paid by such advocates to be returned to parties.

**2.** Any prothonotary or clerk who, knowingly infringes any of the provisions of the present section, shall incur, for each such offence, a penalty of twenty dollars, recoverable in any court of justice of competent jurisdiction, in any judicial district comprised within the section,

Penalty on officers of courts infringing such provision.



and one-half thereof shall belong to the prosecutor, and the other to the section in which the court is situated of which such prothonotary or clerk is officer.

**Suits for such penalties.**

3. It shall be the duty of the syndic, in each section, whenever informed of any infringement of the present law, to take, in the name of the corporation, legal proceedings against the clerk or prothonotary who shall contravene the present section, and the penalties, in the latter case, shall entirely belong to the said corporation of the section.

**Penalty for second offence.**

4. In case of a second offence by such prothonotary or clerk, after a first condemnation, the above penalty shall be forty dollars for each infringement of the present section.

**Coercive imprisonment in default of payment.**

5. In default of the payment of the said penalty, within fifteen days from the rendering of the judgment, such clerk or prothonotary may be imprisoned in the common gaol of the district, for a period of time not exceeding one month, unless the said penalty and all the costs are previously paid; in the case of a repetition of the offence, as above mentioned, the imprisonment may extend to two months.

**Responsibility of prothonotaries in certain cases.**

6. Every prothonotary or clerk shall be responsible for the said penalties, in case such documents shall have been granted or received by his deputy, officer or employee, or employee of the office, but the imprisonment cannot be pronounced against the prothonotary or clerk, or against any one of the persons acting jointly in such quality, unless the said documents have been received or granted by his deputy, officer or employee, or by an employee in the office, with his authority and to his knowledge.

**Penalty upon qualified advocate lending his name to one who is disqualified.**

7. Every qualified advocate who shall lend his name to a disqualified advocate, or to any person who is not an advocate, in order to allow them to take legal proceedings, shall be guilty of an act contrary to the discipline and honor of the profession and, as such, be liable to the penalties set forth in section 25 of this act.

#### ANNUAL SUBSCRIPTION OF MEMBERS.

**Annual subscription.**

60. Every member of the profession shall pay annually in advance, before the holding of the meeting for the annual elections, into the hands of the treasurer of the section, the sum of six dollars, which is paid in to the credit of the section, if he reside, or has his office at the *chef-lieu* of the section, and the sum of three dollars if he

has his office outside of such *chef-lieu* and one dollar if he is a member of a library association.

The councils of sections are hereby authorized to increase the said subscription, if they deem it advisable, <sup>May be increased.</sup> except for the members of library associations, and to impose such condition thereon as they may see fit.

**61.** Every member, ceasing to practise the profession of advocate, may relieve himself from the payment of such subscription, during all the time that he shall so cease practising, by previously paying all arrears, due by him, and by informing the secretary-treasurer of the general council, in writing, of his intention to cease practising; and it shall be the duty of the secretary-treasurer to erase his name from the roll at the date fixed in the notice; if, after the date fixed in such notice as the date on which he shall cease practising, such advocate shall perform any act of procedure, he shall remain subject to the provisions of the present act, as if such notice had not been given. <sup>Notice by member ceasing to practise.</sup>

**62.** Such advocate may resume the practise of his profession by giving notice thereof to the secretary of his section. Upon receipt of the said notice, the secretary of the section shall inform the general secretary thereof, who shall replace his name on the roll, on production of the receipt from the treasurer of his section, if need be, for the payment of his subscription for the current year, and he shall be entitled to the certificate mentioned in section 55 of the present act. <sup>Formalities required to resume practise.</sup>

If any objection is made to him on account of the occupation he may have followed in the interval, it shall be submitted to the council of the section, who may, after hearing the parties, refuse to allow such person to practise his profession, stating in the judgment the reasons therefor. From such decision an appeal lies to the general council. <sup>Objection thereto.</sup>

**63.** Every treasurer of a section shall forward annually, between the fifteenth and twentieth days of May, to the secretary-treasurer of the general council, a list of all the advocates in his section, who shall have then paid all their subscriptions and dues, for the current and previous years. <sup>List to be forwarded by secretary of sections to secretary-treasurer of general council.</sup>

1. He shall annex a special list of advocates who, owing to the establishment of a library association, in the judicial district in which they reside, have only paid the annual subscription which the members of such association are obliged to pay. <sup>Special list in certain cases.</sup>

2. He shall likewise forward, without delay, the names of any persons who, since the general list forwarded by him, have paid up their arrears and subscriptions due to him, have paid up their arrears and subscriptions due to him, <sup>List of those who paid arrears, &c., to be also forwarded.</sup>

the section, and the names of all persons which he may have erroneously sent or omitted.

#### COMPLAINTS AGAINST MEMBERS OF THE BAR.

##### Complaints.

**64.** Any complaint against a member of the bar, accusing him of any breach of discipline, or of any act derogatory to the honor or dignity of the profession of advocate, or of exercising or having exercised any profession, trade or industry, or of holding any office incompatible with the dignity and honor of the profession, must be laid and heard before the council of the section to which the accused belongs.

##### Must be under oath.

This complaint shall be made under oath, taken before the syndic of the section, or, in his absence, before the secretary.

##### Procedure on such complaint.

**65.** The syndic or, in his default, the secretary, shall immediately lay the complaint before the council which may refuse to authorize the complaint to be proceeded with, or may by a letter signed by the secretary require the presence of the accused party and the complainant before the council at a fixed date; the council may then hear both parties, if they be present, or if not the party who appears, and, if the matter permits, may endeavor to reconcile and settle the differences between the parties; it may also allow the complainant to proceed on his complaint, and it may also allow the party accused, to make a counter complaint if the complainant be an advocate; it may, while refusing to allow the complainant the right to proceed on his complaint, allow the accused to take action against the complainant; it may also, in every case, require from the person authorized to prosecute a deposit with the treasurer of a certain sum as security for the costs of the opposite party.

##### Party to be summoned.

**66.** On such permission being granted, and deposit being made, if required, the party authorized shall submit his complaint, sworn to before the syndic, who shall summon the accused to appear and defend himself.

##### Duty of defendant.

**1.** The defendant shall be bound to appear and produce all his pleas within four days from the service of the complaint; the complainant shall have two days to answer, and the defendant two days to reply, if necessary; so soon as the issue is joined, either of the parties may inscribe the case for *enquête*, on giving four days' notice thereof; the *enquête* shall be continued from day to day; after it has been closed on both sides, the case shall be inscribed for hearing on the merits by the secretary, who shall give at

least four days' notice thereof to the parties and to the members of the council, by a bailiff.

2. The summons, services, examination of witnesses and the mode of proceeding at *enquête* shall be governed by the rules of the code of civil procedure of the province of Quebec, for Superior Court cases. Code of civil procedure be apply.

3. If the defendant fails to appear or to produce his pleas, within the said delay of four days, the complainant may inscribe his cases for *enquête*, *ex parte*, by giving four days' notice thereof to the defendant. Proceeding ex parte.

4. The defendant, failing to appear or plead, may, after one clear day's notice, on sufficient cause shewn, obtain from the bâtonnier or from the person appointed by the council to try the case, permission to produce his plea. Defendant may file plea, on cause shewn.

5. The complainant and defendant may be represented by an attorney *ad litem*. Attorney ad litem.

67. The secretary of the section, or in his default, any person chosen by the bâtonnier, shall fulfil all the duties and is vested with all the privileges and powers of the prothonotary of the Superior Court for the purposes of such complaint. Secretary of section has powers of prothonotary of Superior Court.

68. The bâtonnier shall be, *de jure*, the judge to try the case, unless the council should appoint another member to act as such. Bâtonnier judge to try case.

He shall possess all the powers of the Superior Court in what concerns the hearing of the case, and the powers of the judge at *enquête*, saving appeal from his decision at the time of the hearing on the merits only. His powers.

69. The *enquête* clerk, or stenographer, if the parties consent to the employment of a stenographer, shall be paid by the party employing him, at the rate of ten cents per hundred words. Payment of writer or stenographer.

70. The accused party may cross-examine the complainant on his complaint, and give his own testimony under oath in the case. Complainant may be cross-examined and party accused examined.

71. The person trying the case, shall have power to swear the parties and their witnesses and all the other powers of the Superior Court, under the code of civil procedure of this province, to compel witnesses to attend and answer under oath, and to punish them in case of refusal by fine or imprisonment. Swearing of witnesses.

Recusation of  
members of  
council.

**72.** After the case has been inscribed on the merits, it shall be lawful for the parties to recuse any members of the council present for the hearing, and such recusation shall be summarily and immediately adjudicated upon by the other members of the council ; the syndic can not recused for the simple fact of his having brought the complaint and conducted the hearing of the case, nor can the bâtonnier nor any member of the council, chosen to try the case as aforesaid, be recused for the fact that he has acted as judge at *enquête*.

Notice of  
judgment if  
not pronoun-  
ced at once.

**73.** If judgment is not rendered at once five days' previous notice of the day of the rendering thereof shall be given to the parties by the secretary.

Council deli-  
berate pri-  
vately.

**74.** The members of the council shall deliberate with closed doors ; judgment is rendered by the majority of those present and such judgement is enregistered in the minutes ; the dissenting votes cannot be made public in any case.

Who may ren-  
der judgment.

**75.** It shall not be necessary that all the members of the council who have heard the case be present at the rendering of the judgment : but it may be rendered in presence of the majority of those members who have heard the case.

Members of  
council cannot  
act as attorney  
for the parties.

**76.** No member of the council of the section or of the general council shall act as counsel for any of the parties to a complaint.

Appeal to  
general coun-  
cil.

**77.** Any party aggrieved may appeal from the final judgment and at the same time from the interlocutory judgments which may have been rendered in the case ; the said appeal shall be brought before the general council of the Bar of the province, and no judgment of a council of a section shall be revised, reversed, annulled or reformed by any other means than such appeal, not even by *certiorari*.

Notice of  
appeal.

**78.** The appellant shall give notice of appeal to the opposite party, and file such notice with the return of service with the secretary of the section, within fifteen days from the rendering of the judgment, and he shall, within thirty days from the rendering of the same deposit with the treasurer of the council of the section which rendered the judgment, one hundred dollars as security :

Security  
required.

1. For the payment of the expenses of the general council on the appeal ;

2. For the costs of the respondent.

**79.** The treasurer of the section shall immediately forward the said deposit to the secretary treasurer of the general council, to be applied to pay the expenses of the general council and of the members thereof. If the appellant obtains judgment for his costs against the respondent, he shall have the right to include that portion of the deposit absorbed by the costs of the general council.

Deposit to be forwarded to secretary-treasurer of general council.

**80.** On receipt of the said deposit within the delay specified, the secretary of the section shall transmit, to the secretary treasurer of the general council, the record together with the deposit and notice given by the appellant, also an extract from the registers, and a copy of all judgments and orders rendered and made in the case;

Record, deposit and notice to be forwarded to general council.

**81.** On receipt of the deposit and record, the secretary treasurer of the general council shall immediately enter the case on the roll of appeal and shall deposit in the post office a notice, postage prepaid, of such appeal, mentioning the place where the council shall sit, in accordance with section 41, as well as the day and hour fixed by him for the hearing; the said notice shall be addressed to the appellant, the respondent, and to all the members of the general council, who shall be bound to be present on the day and at the hour specified to attend such hearing; the hearing cannot take place before the expiration of the fifteen days following the posting of such notice.

Case to be entered on appeal roll, on receipt of record, &c.

Notice of such appeal.

Delay for hearing.

**82.** No member of the council of the section, who took part in the trial or in the judgment of the section, shall sit on such appeal.

Certain members not to sit in appeal.

**83.** The judgment shall be rendered in the same manner, and with the same formalities as the judgment of the council of a section; but a majority of the members present shall be sufficient to confirm the judgment; the concurrence of the absolute majority of the general council, qualified to sit in the case, shall be necessary to reverse or modify the judgment.

Judgments how rendered.

**84.** The general council may either confirm the judgment appealed from purely and simply, or render such judgment as should have been rendered by the council of the section, and award costs, as well on the principal action as on the appeal, in the manner which it may deem equitable; and in case of a judgment suspending the accused it shall fix the date at which such suspension shall commence, and how long it shall last, and such judgment shall be final and cannot be evoked, reversed or annulled by any other tribunal whatever, not even by *certiorari*; it

Power of general council.

may, in giving judgment on an appeal, order that a sum adjudged by it, shall be paid to the successful party by the party condemned, to indemnify him for his personal costs and expenses on the said appeal.

Judgment and record to be returned to secretary of section.

**85.** The judgment of the general council and the record shall be immediately returned to the secretary of the section whence the record has been received, and the judgment shall be enregistered in the registers of the section and shall be carried into execution as the judgment of the council of the section.

Tariff of fees may be prepared.

**86.** A tariff of fees, payable to the secretary-treasurer of the section and to the secretary-treasurer of the general council, may be prepared by the general council and by it amended or repealed.

Bill of costs on appeal.

**87.** The secretary-treasurer of the general council shall forward with the record, a bill of costs on the appeal taxed by him; he shall pay to the respondent or to his attorney, if need be, his costs of appeal and expenses before the council of the section out of the balance of the deposit made in his hands, or he shall forward it for the said purpose to the treasurer of the section; if the appellant succeed, the balance of the deposit shall be returned to him.

Advocate may be struck from roll if costs not paid.

**88.** Should the advocate condemned to pay the costs awarded against him fail to pay the same, within fifteen days after final judgment in the case, it shall be the duty of the treasurer of the section to notify him that unless he pay the costs still due by him, within a further delay of eight days, his name shall be forwarded to the secretary-treasurer of the general council to be struck from the roll of advocates; and at the expiry of the said delay of eight days, if the said costs, together with one dollar for the said notice, shall not have been paid to the party or to the treasurer, the treasurer and bâtonnier of the section, on the declaration in writing of the successful party, shall certify such default to the secretary-treasurer of the general council, who, in such case, shall strike the name of the advocate in default from the roll of advocates.

May resume practice on certain conditions.

Such advocate may acquire the right of resuming practice, by paying the said costs and complying with the provisions of section 55 of this act.

#### LIBRARY ASSOCIATIONS.

Library associations.

**89.** Every library association established at a *chef-lieu* of a judicial district, is hereby maintained, and one may be established in any judicial district in which none as yet exists.

**90.** When at least two thirds of the advocates in one of such districts shall have signed a declaration in triplicate, setting forth that they form themselves into an association to acquire and own a library for their own and the judges' use in the said district, and one of such triplicates has been deposited in the hands of the secretary of the section, another in the office of the prothonotary of the Superior Court for the said district, the third being kept by the association itself, all the advocates residing in the said district, or who may hereafter reside therein, shall constitute a civil corporation for the said purposes under the name of "The Library Association of *(adding the name of the district)*"; which shall possess all the powers and rights granted to corporations by the laws of this country and may, moreover, possess immovables to the value of ten thousand dollars.

Proceedings to establish library associations.

**91.** The affairs of the association shall be administered by a committee of management, composed of a president, a secretary-treasurer and three other members. All questions submitted to the committee shall be decided by the majority of the members present, including the president who shall, moreover, have a casting vote.

Management of affairs of library associations.

Three members of the committee shall form a quorum. The powers and duties of the said officers shall, for the purposes of the association, be the same as those of the corresponding officers of councils of sections.

Quorum of committee. Duties of officers.

**92.** The first general meeting, for the election or choice of the committee, shall be presided over by the senior advocate present, who shall have a right to vote and shall, moreover, have a casting vote; all other subsequent meetings shall be presided over by the president, or in his absence by a member appointed by the meeting.

Chairman at first meeting. Subsequent meetings.

**93.** Such first general meeting shall be held at the court house of the district, on the first Monday of the month immediately following the formation of the association; or if such Monday be a non-juridical day, then on the following day; if the election does not place on the day fixed, it may then be held at any other meeting, specially called by three members of the association; the quorum of every meeting shall consist of the absolute majority of the members of the association, qualified to vote.

First general meeting when and where held.

All members who have complied with section 95 of this act shall be qualified to vote.

Right to vote.

**94.** The committee of management may pass the by-laws which it may deem necessary for the purchase, keeping,

By-laws may be passed.



administration and management of the library and other property.

Payment to  
associations.

**95.** Every member of the association shall, at the time of the first election, and annually thereafter pay, previous to the first of May and always in advance to the secretary-treasurer the sum of five dollars.

Bar fees to be  
paid after  
establishment  
of library.

**96.** After the establishment of the said association, the members of the Bar, forming part of the said association shall pay to the treasurer of the section an annual sum of five dollars only.

List of mem-  
bers to be for-  
warded to  
treasurer of  
section.

**97.** It shall be the duty of the secretary-treasurer of such association to forward to the treasurer of his section, on or before the first of May, but previous to the general election, a list of all the members of the said association from the establishment of the said association up to the time of sending in the said list; he shall send a similar one, to the secretary-treasurer of the general council, on the fifteenth day of May in each year.

#### GENERAL PROVISIONS.

Proceedings to  
establish sec-  
tions.

**98.** Whenever the members of the bar, duly qualified to practise and practising in any new district, exceed fifteen, it shall be lawful for them to constitute themselves into a section of the bar in and for such district, and such corporation shall be formed as follows: a petition shall be signed by at least fifteen of the members of the bar of such district and transmitted to the lieutenant-governor in council who shall issue a proclamation constituting such corporation.

From and after the date of such proclamation the members of the bar of such district shall constitute, under the name of "the Bar of (adding the name of the district) a separate section of the bar and all the provisions of this act respecting section shall apply to such sections.

First election.

The first election in any such section shall be held within the three months next after the date of the proclamation, at a meeting to be held in the Court House of the district of the section for which such election takes places; which meeting shall be convened by at least five members of the bar, practising within the limits of the section by notice sent to each member of the bar practising in the district by registered letter at least fifteen days before such meeting, and also, by a notice posted, at the Court House in which such meeting is to be held, at least eight days before such meeting.

After the formation of such section, the members of the bar of the district in which such section shall be so formed shall cease to form part of the corporation of the section, of which they were formerly members; but the rights and powers of the old sections shall not in any manner be affected by such change, and the new section shall have all the rights and powers conferred and be subjected to all the obligations imposed by this act upon all the sections of the bar.

Effect of forming such sections.

**99.** In case the subscription of ten dollars each, paid for the general council by all candidates for the study and the practice of the profession, and the other fees collected by the general council as aforesaid, are not sufficient to defray the examination and other expenses of the general council, it shall be lawful for the general council to apportion between the different sections any sum which may be required to cover the said expenses.

Expenses of general council may be apportioned upon sections in certain cases.

1. This apportionment shall be made by taking as a basis the number of candidates, who have paid fees for admission to study and practice, in each section, at the last examinations.

Basis of such apportionment

2. Nevertheless the council may, if it deem it advisable, by the vote of a two-thirds majority of the members present adopt a different basis of apportionment.

Proviso.

3. It shall be the duty of the treasurer of each section to deposit immediately with the secretary-treasurer of the general council the amount apportioned on his section, so soon as he shall have received a certified copy of such apportionment; in default of the payment thereof, within one month, it shall be lawful for the general council to deprive such section of the right of being represented in the general council and at the examinations, during the time it shall so remain in default; and, in such case, the general council shall complete the number of examiners, by appointing from amongst the advocates of the other sections as many examiners as had been appointed for the section in default; and the composition of the general council shall be reduced to the members of the other sections, a majority of whom shall form the absolute majority of the general council, until the section in default has complied with the regulations by paying its share as above mentioned.

Duty of treasurer of sections after receipt of notice of amount to be paid. If amount is not paid.

Completion of number of examiners from other sections. Number of general council reduced

**100.** Notaries shall be entitled to make use of the library of the section in which they reside, on the same conditions as advocates, by paying in advance an annual contribution of four dollars.

Notaries permitted to use libraries on certain conditions.

Forms sufficient.

**101.** The forms contained in the appendix to this act shall be sufficient for all legal purposes.

#### SPECIAL PROVISIONS.

Certain acts repealed in certain cases.

**102.** The laws in force at the time of the passing of this act are repealed in the following cases :

1. Whenever such laws are contrary to or inconsistent with any provisions of this act ;

2. Whenever this act contains an express provision on the particular subject of such law, saving the rights acquired previous to the passing of this act, and the cases where the provisions of this act cannot be applied without giving them a retroactive effect ;

Limitation of act.

**103.** This act shall not apply to students under indenture, at the time of the sanction thereof, except with respect to the manner in which the examinations shall be conducted.

Act in force.

**104.** This act shall come into force on the first day of August next, when the duties of the examiners appointed in the month of May of the present year, shall cease.

Council of sections to appoint delegates and examiners.

During the two months immediately following the day upon which this act shall come into force, the council of each section shall appoint its delegate and examiners as provided by this act.

#### APPENDIX.

#### FORMS.

##### NOTICE BY CANDIDATES FOR ADMISSION TO STUDY.

Canada,	}	Bar of the Province of Quebec.
Province of Quebec,		
District of		

The undersigned , having his  
domicile at , residing at  
for months , gives notice to the  
secretary of the Bar of , that he will  
present himself at the next examination of the Bar to be  
admitted to the study of the legal profession, and declares ;

1. That he is \_\_\_\_\_ years of age ;

2. That he was educated in the schools and colleges and at the places following : (*give the names, date and time passed in each school or college.*)

3. That during \_\_\_\_\_ months (*mention in detail, giving date, whether he held any office, or followed any trade, industry, business or employment whatever.*)

Date,

Signature.

*Certificate endorsed on notice.*

I, the undersigned secretary of the Bar of \_\_\_\_\_ ,  
hereby certify that the accompanying notice was  
received by me on the \_\_\_\_\_ day of \_\_\_\_\_

E. F.  
Secretary

NOTICE AND DECLARATION BY STUDENT TO BE ADMITTED  
TO PRACTISE.

Canada, }  
Province of Quebec, } Bar of the Province of Quebec  
District of }

I, the undersigned, \_\_\_\_\_ , domiciled  
at \_\_\_\_\_ , residing at  
for \_\_\_\_\_ , law student, give notice to the secretary  
of the Bar of \_\_\_\_\_ , that I will present myself at the  
next examination of the Bar to be admitted to the practice  
of the profession of advocate, and I solemnly declare ;

1. That I am (*or by the eleventh of July next, will be*)  
twenty one years of age ;

2. That I was admitted to study law on the  
day of \_\_\_\_\_ , one thousand eight hun-  
dred and \_\_\_\_\_ ;

3. That I passed a deed of indenture before  
notary public, at \_\_\_\_\_ , on the  
with \_\_\_\_\_ practising advocate  
at \_\_\_\_\_ ;

4. That I have studied under the said  
at \_\_\_\_\_ , from the \_\_\_\_\_ ; until \_\_\_\_\_

regularly and during ordinary office hours ; and since the latter date at , until, in the same manner with practising advocates;

5. That I have followed the law course during years and taken a degree in Law in the University at ;

6. That during the said periods, I was not absent from the office of my patrons for more than one month, except during the following periods, and for the following reasons (the July and August vacation not being included) namely with my patron's permission : without my patron's permission :

7. That during my clerkship I (state whether or not he exercised any trade or profession, held an office or position outside of the office of his patron, with or without their consent, what they were and for how long)

And I make this solemn declaration, conscientiously believing the same to be true, and in virtue of the act of Canada, passed in the thirty-seventh year of Her Majesty's reign, intituled : An act for the suppression of voluntary and extra-judicial oaths.

Date

Signature,

*Certificate endorsed on notice.*

I, the undersigned, secretary of the Bar of , certify that the present notice was forwarded to me on the day, of the month of , one thousand eight hundred and

Secretary.

#### PATRON'S CERTIFICATE.

Canada	}	Bar of the Province of Quebec.
Province of Quebec		
District of		

I, the undersigned, advocate, domiciled and practising at , certify that A. B. , of , law student, studied in office under indentures, from the until the and that he regularly accomplished his duties as such student :

That he was not absent, apart from the July and August vacation, to my knowledge for more than one month at a

time except  
 for the following reasons ;  
 that for (part of,                      these absences he  
 had the consent of  
 that during his clerkship he was to my knowledge, (or  
 was not) employed in business outside of his study of the  
 profession (as                      or that he has exercised the trade  
 or profession of                      , or filled the office of  
 during about                      , as the case may be.)

Date

Signature.

---

 CERTIFICATE OF ADMISSION TO STUDY.

*Bar of the Province of Quebec.*

The Bâtonnier of the Bar of the Province of Quebec  
 hereby certifies that  
 candidate for admission to study the profession of advocate,  
 in the Province of Quebec, having been duly examined  
 according to law, on his knowledge, capacity and habits,  
 and the report of the examiners having been favorable to  
 him, he, the said                      is admitted to study the  
 said profession.

Given in the City of                      , under the signature  
 of the Bâtonnier, under the seal of the corporation of the  
 Bar of Quebec, and countersigned by the Secretary-  
 Treasurer, this                      day of                      , one thousand  
 eight hundred and                      .

Bâtonnier,  
 Secretary-Treasurer.

---

 DIPLOMA.

Canada,                      }  
 Province of Quebec. } Bar of the Province of Quebec.

To all to whom these presents shall come ;

Greeting :

We, the undersigned, Bâtonnier of the Province of  
 Quebec :

Seeing the report to us made by the examiners of the  
 Bar of the said Province, that they have inquired into the  
 habits, knowledge, capacity, and qualifications of A. B.

Esquire, of ; that he is of good habits, and is possessed of the necessary knowledge, capacity and qualifications and that he has in every way complied with the law ;

By virtue of the powers conferred upon us by the statute passed by the Legislature of Quebec, in the forty-fourth and forty-fifth years of Her Majesty's Reign, chap. 27, have given and granted him, and by these presents do GIVE AND GRANT UNTO HIM THE PRESENT DIPLOMA, conferring upon him the right to practise as an ADVOCATE, BARRISTER and ATTORNEY in all Courts of Justice in the Province of Quebec.

Given at , under our signature and the seal of the Corporation of the Bar of the Province of Quebec, and countersigned by the Secretary-Treasurer thereof, on the day of , in the year of our Lord one thousand eight hundred and

(Signed,)

C. D.  
Bâtonnier.

[L. S.]

E. F.  
Secretary-Treasurer.

#### CERTIFICATE UNDER SECTIONS 54 AND 55.

No.

Commission No.

Bar of the Province of Quebec.

To all to whom these presents may come ;

Greeting :

I, the undersigned, Secretary-Treasurer of the General Council of the Bar of the Province of Quebec, (or Secretary of the Bar of , as the case may be) by virtue of the powers conferred upon me, hereby certify that , Esquire, holds a commission as an advocate of the Province of Quebec, granting him the right to practise as such in all the Courts of Justice in this Province ; and I certify, moreover, that the bearer of the said commission has complied with all the requirements of the law in every respect.

Therefore , Esquire, shall be considered, whenever it may be necessary, as if his name were on the general roll of Advocates for the year 18 from this date.

Given in the city of , under my signature and the seal of the Corporation of the Bar of the Province of Quebec (or of the Bar of , as the case may be) this day of the month of in the year of our Lord one thousand eight hundred and

Treasurer of the Bar  
of

## COMPLAINT.

Province of Quebec, }  
 District of } Bar of

To the Bâtonnier and the Members of the Council of the  
 Bar of :

A. B. Esquire, syndic elected for the section  
 of the Bar of , hereby informs the council  
 of the said Bar that C. D. , Esquire, one  
 of the members of the said Bar, residing at  
 is accused under oath by E. F. , of  
 &c., &c., as follows, to wit :

That the said C. D. (recite the offence.)  
 Therefore the said E. F. prays that an  
 order do issue from the said Council, calling upon the  
 said C. D. to appear before the said coun-  
 cil according to law and justice.

Given at this day of  
 one thousand eight hundred and

(Signed,) A. B. Syndic.

## SUMMONS.

Province of Quebec, }  
 District of } Bar of

By the Bâtonnier and members of the council of the Bar  
 of :

To C. D. Esquire, advocate of , in the section  
 of the Bar of ;

Greeting :

You are hereby required to appear in person or by  
 attorney before us, in our chambers, in the city of  
 , within four days from the service hereof,  
 and at , then and there to answer the com-  
 plaint, copy whereof is hereunto annexed, made against  
 you by A. B. Esquire, syndic of the said section of the  
 Bar of ;

And you are hereby informed that failing your appear-  
 ance before us, and to plead on the day and at the place  
 mentioned, you shall be proceeded against on the said com-  
 plaint, by default.



Given at \_\_\_\_\_, under the seal of the said corporation of the Bar of \_\_\_\_\_, under the signature of our Batonnier and countersigned by our secretary on this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_

(L. S.)

(Signed),

F. G. BATONNIER.

R. S. Secretary.

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SUBPŒNA.

Province of Quebec, }  
 District of \_\_\_\_\_ } Bar of \_\_\_\_\_

By the Batonnier (*As in previous form*)

To \_\_\_\_\_ A B, of \_\_\_\_\_

Greeting :

We hereby command you and each and every of you, to appear in person before us, in our chambers, in the city (*or town*) of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock of the \_\_\_\_\_ noon, to give testimony and speak the truth on all which you or either of you know, concerning a certain complaint made before us by \_\_\_\_\_ against C. D., esquire, member of the bar of the section of the district of \_\_\_\_\_ Herein fail not, under all legal penalties.

Given in the city (*or town*) of \_\_\_\_\_ under the seal of our section and the signature of our Secretary, this \_\_\_\_\_ day of the the month of \_\_\_\_\_ in the year one thousand eight hundred and \_\_\_\_\_

(Signed),

(L. S.)

L. M.

Secretary.

## CAP. XXVIII.

An Act to render valid certain notarial deeds.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS a large number of wills have been received, without the requisite mention of the reading and

signing, exacted by article 848 of the Civil Code, to the great loss of the parties interested; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Every will, in authentic form, received before two notaries, or one notary and two witnesses, without mention of the fact that the testator has signed in the presence of the notaries, or of the notary and the witnesses, and with them, or has declared that he could not do so, after the same was read to him, by one of the notaries in the presence of the other, or by the notary, in the presence of the witnesses, up to the time of the coming into force of this Act, shall be considered as authentic and valid, notwithstanding the omission of such mention, in the same manner as if such mention had been made in the said deed ; provided always, that the formalities, of which mention should have been made, have been duly complied with.

*Wills considered authentic and valid, notwithstanding certain defects in formalities.*

2. The provisions of this Act shall not affect pending cases.

3. This Act shall come into force on the day of its sanction.

## CAP. XXIX.

An Act to legalize certain official acts of Charles J. Powell, deputy-sheriff of the District of Arthabaska.

[Assented to 30th June, 1881.]

**W**HEREAS during the time that the said Charles J. Powell was discharging the duties pertaining to the office of sheriff of the said district of Arthabaska, he assumed the title of "acting sheriff" and "deputy acting sheriff," instead of that of "deputy-sheriff;" and whereas doubts may exist as to the validity and legality of the official acts of the said Charles J. Powell, done and performed under such assumed titles; and whereas it is desirable to remove any such doubts; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

*Preamble.*

1. All and singular the acts and proceedings of the said Charles J. Powell, deputy-sheriff of the district of Arthabaska, heretofore done and performed by him, either under the name and title of "acting sheriff" or of "deputy acting sheriff," are hereby declared to be and to have

*Certain acts of C. J. Powell, deputy-sheriff of Arthabaska, declared valid.*

been, when so done and performed, good, legal, and valid, to all intents and purposes whatsoever.

Pending pro-  
ceedings not  
affected. **2.** This act shall not be held to interfere with any case, now pending, before any court in the province.

Act in force. **3.** This act shall come into force on the day of its sanction.

### C A P . X X X .

An Act to amend chapter 75 of the Consolidated Statutes for Lower Canada

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS, according to the provisions of chapter 75 of the Consolidated Statutes for Lower Canada, regulating the division of Lower Canada into counties, the county of Argenteuil includes that portion of the township of Morin, situate to the south-west of the line between the lots numbers twenty-four and twenty-five of all the ranges of that township, and that a part of the county of Terrebonne is bounded by the line between lots numbers twenty-six and twenty-five of the same township; and whereas, the said lots, that is to say, number twenty-five of the ranges 1, 2, 3, 4, 5 and 6 of the said township of Morin, thus form part of both the counties of Argenteuil and Terrebonne, it is necessary to rectify the said boundaries; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

C. S. L. C. c.  
75, s. 1, §14,  
amended. **1.** Sub-section 14 of section 1 of chapter seventy five of the Consolidated Statutes for Lower Canada, is amended by striking out the words: "twenty-six and twenty-five" in the fifteenth line of the said sub-section and substituting therefor the words: "twenty-four and twenty-five."

Act in force. **2.** This act shall come into force on the day of its sanction.

### C A P . X X X I .

An Act to amend Chapter 18 of the Consolidated Statutes for Lower Canada and the Act 42-43 Victoria, chapter 41, with respect to the erection of certain parishes within the limits of the former parish of Notre-Dame de Montréal.

[Assented to 30th June, 1881.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The parish of St. Joseph de Montréal, as now canon-Parish of St. ically erected, may, notwithstanding the provisions of Joseph de chapter 18 of the Consolidated Statutes for Lower Canada, Montréal, may be civilly erected, in accordance with the Act, 39 Victoria, be civilly erected. chapter 36.

Section 5, of the said Act, 39 Victoria, chapter 36, shall 39 Vic., c. 36, apply to the said parish. s. 5, to apply.

2. Section 2, of the Act, 42-43 Victoria, chapter 41, is 42-43 Vic., c. amended, by striking out all the words after the words: 41, s. 2, "excepting however," in the sixth line to the end thereof, amended. and replacing them by the following:

"Notwithstanding that which precedes, in the parish of Erection of St. Bridget of Montreal and in all the territory of the minority in former parish of Notre-Dame de Montréal (with the excep- of Notre-Dame tion of the present parishes of Notre-Dame and the de Montréal. canonical parishes of St. James and St. Patrick) the erection of such minority or portion of such minority may be made in conformity with the provisions of the Act of this Province, 39 Victoria, chapter 36, which together with the Act, 34 Victoria, chapter 35, shall, *mutatis mutandis*, apply to the said parochial congregations."

3. This Act shall come into force on the day of its Act in force. sanction.

## CAP. XXXII.

An Act to annex to the municipality of the united townships of Stoneham and Tewkesbury, a certain portion of the parish of St. Edmond de Stoneham.

[Assented to 30th June, 1881.]

WHEREAS the corporation of the county of Que-Preamble. bec have, by their petition, prayed that there be annexed to the municipality of the united townships of Stoneham and Tewkesbury, that portion of the parish of St. Edmond de Stoneham, composed of parts of the fiefs and seigniories of St. Joseph de l'Epinay, of D'Orsainville, of Notre Dame des Anges, of Trinity, of Grand-pré and Bourg la Reine; and whereas it is expedient to grant their prayer:

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. That portion of the parish of St. Edmond de Stone-Part of parish ham, bounded on the south by the parish of Charlesbourg, of St. Edmond and on the north by the township of Stoneham, composed de Stoneham, of parts of the fiefs and seigniories above mentioned, is annexed to united town-

ships of Stone- annexed to the municipality of the united townships of  
ham and Tew- Stoneham and Tewkesbury, for electoral, municipal and  
kesbury. school purposes.

Art. 43, 44 mu-  
nicipal code to  
apply.

2. Articles 43 and 44 of the municipal code shall apply to the territory annexed to the municipality of the united townships of Stoneham and Tewkesbury.

### CAP. XXXIII.

An Act to erect the parish of St. Louis, situate partly in the county of Richelieu and partly in the county of St. Hyacinthe, into a municipality and to annex it to the county of Richelieu.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS it is expedient to erect the parish of St. Louis, situate partly in the county of Richelieu and partly in the county of St. Hyacinthe, into a local municipality and to annex it to the county of Richelieu ; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Parish of St. Louis constituted a parish municipality and to form part of county of Richelieu for certain purposes.

1. The whole of the parish of St. Louis, as canonically and civilly erected by decree of His Lordship the Bishop of St. Hyacinthe and by proclamation of the Lieutenant Governor of the Province of Quebec, bearing date the twentieth day of April, one thousand eight hundred and seventy five, part of which is situated in the county of St. Hyacinthe and part in the county of Richelieu, shall for the future constitute a parish municipality, and shall form part of the county of Richelieu and shall be wholly comprised within the limits of the county of Richelieu, for all municipal and judicial purposes and for the purposes of representation in the Legislative Assembly.

A local municipality, under name.

2. The parish of St. Louis, shall constitute a local municipality, in accordance with the provisions of the Municipal Code, under the name of the " Municipality of the Parish of St. Louis."

And a corporation, under name.

3. The inhabitants and rate-payers of the municipality, so constituted, shall form a local municipality under the provisions of the Municipal Code, under the name of " The Corporation of the Parish of St. Louis."

General powers of corporation.

4. The corporation, so constituted, shall have all the powers, rights, privileges and attributes of local corporations, under the municipal code, and shall also be subject to the obligations to which such corporations are subject.

5. The first general election of councillors shall be held on the day and at the hour and place determined by the warden of the county, and such day must not be less than fifteen days nor more than thirty days from that on which this act shall come into force.

First general election of councillors.

# CAP. XXXIV.

## An Act to Encourage the Establishment of Manufactories of Railway Plant

[Assented to 30th June, 1881]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. It shall be lawful for the Lieutenant Governor in council, for the encouragement of the establishment, in this Province, of manufactories, on a large scale, of rails and fastenings, locomotives, cars, carriages and other rolling stock or railway plant, to grant to any company establishing such a manufacture freedom from taxation on behalf of the government.

Lieut. Gov. in council may exempt manufactories of railway plant from taxation.

2. This act shall not apply to municipal or school taxes, and the privilege so granted, shall not extend beyond twenty-five years.

Act not to apply to municipal and school taxes and limitation of privilege.

3. This act shall come into force on the day of its sanction.

Act in force.

# CAP. XXXV.

## An Act to incorporate the Montreal and Sorel Railway Company.

[Assented to 30th June, 1881.]

WHEREAS the construction of a railway, as herein-after set forth, would be a great advantage to that portion of the province through which it would pass, and the neighborhood thereof ; and whereas a petition has been presented praying for the passing of an act to incorporate a company authorised to construct the same, and it is expedient to grant the prayer of such petition ; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Preamble.

1. James F. Armstrong, Cyrille Labelle, Antoine Alphonse Taillon, Christopher B. Carter and Charles Persons incorporated.

N. Armstrong, together with such other persons and corporations as may become shareholders of the company hereby incorporated, shall be and are hereby constituted a body politic and corporate under the name of

Name of corporation. "The Montreal and Sorel Railway Company", and the words "the company" wherever used in this act shall mean the Montreal and Sorel railway company, hereby incorporated.

Power to build railway, &c. ; 2. The company shall have power and authority to locate, construct and complete and work a railway company, and also a telegraph line throughout the entire length of such railway, from a point on the river St. Lawrence opposite or nearly opposite to the city of Montreal, passing by or near the villages of Longueuil, Boucherville, Varennes and Verchères, and thence to Sorel by St. Antoine, St. Denis, St. Ours or St. Roch

Bridge over Richelieu ; The company shall also have power to construct a bridge across the river Richelieu.

Steamboats and other vessels. The company shall also have power to build, own and operate steam and other vessels in connection with the said railway, and may maintain and operate a steam or other ferry between the western terminus of their railway and the city of Montreal, and to and from any places on the river Richelieu, and shall also have power to build such stations, depots, wharves and warehouses as may be necessary to carry on the business of the company.

Powers granted by Railway Act, 1880. 3. The company shall have all the powers conferred by the "Quebec Consolidated Railway Act, 1880," not inconsistent with the provisions of this Act.

Provisional directors. 4. The persons named in the first section of this act, with power to add to their number, shall and are hereby constituted the provisional directors of the company, and four of them shall be a quorum ; they shall remain in office until the first election of directors which shall be held under this act : and such provisional directors shall

Quorum and duration of office. have power, forthwith, to open stock books, and obtain subscriptions to the capital stock of the undertaking ; and so soon as they shall have obtained sufficient subscriptions to the capital stock, as hereinafter provided, they shall call a meeting of the shareholders of the company for the election of directors.

Power to open stock books, &c.

Capital of company. 5. The capital stock of the company shall be seven hundred and fifty thousand dollars, divided into shares of one hundred dollars each, but it may be increased from time to time by a vote of the majority in amount of the shareholders, present in person, or represented by proxy,

Proviso.

at any meeting specially called for that purpose, to a sum not exceeding one million five hundred thousand dollars.

6. It shall be lawful for the company to receive as aid in the construction of the said railway any vacant lands or any real or personal property or any sums of money either as gifts or by way of bonus, or in payment of stock, and it may legally dispose of and alienate such lands and other real or personal property for the purposes of the company.

7. So soon as an amount of seventy-five thousand dollars of the capital stock of the company shall have been subscribed, and ten per cent thereof paid up, the provisional directors shall call a general meeting of the subscribers to the capital stock, in the town of Sorel, for the purpose of electing the directors of the company, whose number shall not exceed five; notice of such meeting shall be published for two weeks in a paper published in the town of Sorel.

8. At such general meeting the shareholders assembled, who have paid up ten per cent of their subscriptions, shall personally or through their proxies elect the directors of the company, three of whom shall form a quorum, and they may pass such by-laws and regulations as they may deem necessary.

9. Every annual or other general meeting thereafter shall be convened at the time and place, and in the manner prescribed by the said by-laws and regulations.

10. No person shall be chosen or appointed director unless he holds, in his own name, at least fifty shares in the capital stock of the said company, and has paid up all calls on the said shares.

11. The directors of the company are hereby authorised to issue mortgage bonds, bearing the seal of the company, and signed by the president, or other presiding officer, and countersigned by the secretary; and such bonds may be payable in such manner, at such place in Canada or elsewhere, and shall bear such rate of interest as the directors may deem advisable; and the directors shall have power to issue and sell or pledge all or any of such bonds, at the prices and on the terms and conditions as they may deem fit, for the purpose of raising the amount necessary for the carrying out of the undertaking; provided that the amount of such bonds so issued does not exceed fifteen thousand dollars per mile; provided also that no such bonds shall be issued until at least seventy five thousand



dollars of the capital stock have been subscribed, and ten per cent thereon paid up.

Mortgage  
bonds to be  
privileged  
debt.

**12.** The mortgage bonds hereby authorised to be issued shall, without registration or formal transfer, be received and considered as a first claim and privileged debt against the company, its undertaking, tolls and revenues, and the moveables and immoveables which it now possesses or may hereafter acquire; and every holder of such bonds shall be deemed an hypothecary creditor, as to such security, *pro rata* with all other bond holders.

How payable.

**13.** All bonds, debentures, hypothecs and other securities hereby a authorised, and their coupons and certificates of interest due, may respectively be made payable to bearer, and in such case they shall be transferable by simple delivery, and the holder may sue for recovery thereof in his own name, until they be registered, and, when they are registered, they shall be transferable by a deed of transfer in the same manner as in the case of transfers of shares; but they shall again become transferable by simple delivery, upon the registration of a transfer to bearer, and the company shall be bound to execute such registration on the application of the then registered holder.

Power of com-  
pany to be-  
come party to  
certain con-  
tracts.

**14.** The company shall have power and authority to become parties to promissory notes and bills of exchange, of not less than one hundred dollars, and any such promissory note or bill of exchange made, accepted or endorsed by the president or vice-president of the company, and countersigned by the secretary, under the authority of a majority of a quorum of the directors, shall be binding on the company; and every such promissory note or bill of exchange so made shall be presumed to have been duly made with the proper authority, until the contrary be shewn; and in no case shall it be necessary to have the seal of the company affixed to any promissory note or bill of exchange; nor shall the president or vice-president or the secretary and treasurer of the company be personally responsible for the same, unless the said promissory note or bill of exchange has been issued without the sanction and authority of the board of directors, as herein provided and enacted. Provided, however, that nothing in this section shall be construed to authorize the company to issue notes or bills of exchange, payable to bearer or intended to be circulated as money, or as the notes or bills of a bank.

Officers not  
personally  
responsible.

Proviso.

Calls.

**15.** The directors may, at any time, call upon the shareholders for such instalments upon each share which they

or, any of them may hold in the capital stock of the said company, and in such proportion as they may see fit. Except that no such instalment shall exceed ten per cent on the subscribed capital, and that one month's notice of each call shall be sent by mail to each shareholder.

Notice for that purpose.

**16.** The company shall have power to amalgamate or make arrangements with any line of railway, for the passage of its cars, situated along the line, the construction whereof is hereby authorized, or which shall cross or join the same, and shall also have full power and authority to enter into and conclude any arrangements with any other railway company, for the purpose of acquiring any branch or branches to facilitate the connection between the company hereby incorporated and such other railway company, or to acquire the corporate property and franchise of such other company.

Power to amalgamate or make other arrangements.

**17.** Except as otherwise provided by this act, every railway in the province of Quebec, acquired by the company, either by purchase or amalgamation, and every branch in the province of Quebec, made or acquired by the company, in pursuance of any arrangement under the provisions of this act, shall be held and deemed to be, according to the true intent and meaning of the "Quebec Consolidated Railway Act, 1880," a railway constructed under the authority of an act passed by the Legislature of Quebec.

Railway acquired by company to be under Quebec Consolidated Act, 1880.

**18.** The company may enter into any arrangement, with any other railway company or with the government of the province of Quebec, for leasing the said railway or any part or branch thereof, or the use thereof, at any time or for any period, or for leasing or hiring from such other company or the said government any railway or any part or branch thereof, or the use thereof at any time or times, and for any period, or for leasing or hiring, as lessors or lessees, any locomotives, tenders, cars or other rolling stock or moveable property from any such company, or any company or individuals or the said government, and generally to make any agreement or arrangement with any other such company or the said government, touching the use by one or the other or by both, of the said railway or rolling stock or moveable property of either or both, or any part thereof, or touching any service to be rendered by the one to the other, and the compensation therefor; provided the said leases, arrangements and agreements had been first respectively sanctioned by the majority of votes, at a special general meeting of the shareholders, called for the purpose of considering the

Power to lease railway, &c.

Provido.

same respectively, after due notice given as provided by  
"The Quebec Consolidated Railway Act, 1880."

Rights of  
shareholders.

**19.** All shareholders in the company, whether British subjects or aliens or residents of Canada or elsewhere, shall have equal rights to hold stock in the company, and to vote on the same, and be eligible to any office in the company.

Form of deeds  
of sale.

**20.** All deeds and conveyances of lands to the said company, for the purposes of this act, in so far as circumstances will admit, may be in the form of the schedule A, to this act subjoined.

Time when  
works upon  
railway shall  
be commen-  
ced.

**21.** Work shall be commenced on the said railway within six months from the sanctioning of this act, and shall be completed within two years thereafter.

Act in force.

**22.** This act shall come into force on the day of its sanction.

## SCHEDULE A.

### *Deed of sale.*

Know all men, by these presents, that  
of \_\_\_\_\_ in the County of \_\_\_\_\_ for and  
in consideration of the sum of \_\_\_\_\_ to \_\_\_\_\_ paid  
by the Montreal and Sorel railway company, which ac-  
knowledges to have received, grant, bargain, sell and convey  
unto the said Montreal and Sorel railway company, their  
successors and assigns, all that tract or parcel of land  
\_\_\_\_\_ the same having been selected  
and laid out by the said company, for the purposes of their  
railway, to have and to hold the said lands and premises  
unto the said company, their successors and assigns for  
ever.

Witness \_\_\_\_\_ hand and seal  
at \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_, one thousand eight hundred  
and \_\_\_\_\_.

Signed, Sealed delivered }  
in the presence of . }

## CAP. XXXVI.

An Act to amend the act incorporating the Montreal Island Railway Company.

[Assented to 30th June, 1881.]

**W**HEREAS the Montreal Island Railway Company, <sup>Preamble.</sup> have, by their petition, represented, that by an act of this province, passed in the forty first year of Her Majesty's reign and intituled : "An act to incorporate the Montreal Island Railway Company," they were empowered to construct a railway from Mount Royal Avenue, in the parish of Montreal, to the river des Prairies in the parish of Sault au Recollet :

And whereas it is expedient and advantageous to amend the said act, by enabling the said company to extend their line of suburban railway as hereinafter indicated ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 2, of the Act of the Quebec Legislature, 41 <sup>41 Vic., c. 49,</sup> Vict., chap. 49, is repealed, and the following substituted <sup>s. 2, replaced.</sup> therefor ;

" 2. The company is hereby authorized to lay out and <sup>Line of rail-  
way in certain  
localities.</sup> construct, make and finish, run and work, an iron railway from Mount Royal Avenue in the parish of Montreal, or from a point in the city of Montreal, on the eastern side of St. Lawrence main street or the continuation of said street, to the river des Prairies, in the parish of Sault au Recollet ; also, an iron railway from Mount Royal Avenue aforesaid, or from a point in the city of Montreal as aforesaid to and through the municipalities of Outremont, Côte des Neiges, to the village of St. Eustache, in the county of Two Mountains, or such intermediate points, as the future wants of the community may warrant ;

Also, an iron railway from a point within the northern boundary of the city of Montreal, in a northerly direction, as far as the village of L'Assomption, in the county of L'Assomption, or to such intermediate points as the future wants of the community may warrant ; also, an iron railway from some point within the city of Montreal, through Mount Royal Park, to the summit of the Mountain.

(2) Provided however that the said railway shall not <sup>Proviso as to  
certain places.</sup> pass through Mount Royal cemetery nor through the cemetery of Côte des Neiges nor through any of the Avenues leading to the said cemeteries, and that before laying out, constructing and making any of the said railway within the limits of the city of Montreal or Mount Royal Park, they

shall obtain, from the Council of the said city, a consent to that effect, and the same shall be authorised by a by-law of the city of Montreal on such conditions as to the Council shall seem fit."

Motive power  
to be used.

Gauge.

Where railway  
to be com-  
menced.

2. For the working the said railway, it shall be lawful for the said company to use dummy or other engines, propelled by steam, or other motive power, or horse power, on part or the whole of the said railway, if deemed necessary by the directors; and the gauge of the said railway shall be of the breadth to be determined by the directors of the said company; and the building of the said railway may be commenced, at such point or points, as shall be decided upon by the directors of the said company."

### CAP. XXXVII.

An Act to incorporate "The Mountain Park Railway and Elevator Company."

[Assented to 30th June, 1881.]

Preamble.

WHEREAS, Joseph Alderic Ouimet, Queen's Counsel, Charles Peers Davidson, Queen's Counsel, William Wingfield Bonnyer, Civil Engineer, Hubert R. Ives, Merchant, and Selkirk Cross, Advocate, all of the city of Montreal, and George C. Cooke, aforesaid, of Outremont, Gentleman, have, by their petition, prayed that they, and such other persons as may, together with them, become shareholders in the Company, be incorporated for the purpose of constructing and building elevators and railways or tramways (either upon the surface of the ground or as elevated roads) from points in the City of Montreal up to and upon the Mountain Park, and from the city to any points on the Island of Montreal;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Persons incor-  
porated.

Name of cor-  
poration.

General  
powers of Com-  
pany.

1. The persons above mentioned, together with such other persons as may become shareholders, are constituted a corporation by the name of "The Mountain Park Railway and Elevator Company."

2. The Company is authorized to lay and construct, make and finish, run and work elevators and railways or tramways (either upon the surface of the ground or as elevated roads), from points in the City of Montreal, up to and upon the Mountain Park and from the city to any points on the Island of Montreal, and for the

working of the said railways, elevators and tramways, it shall be lawful for the Company to use dummy-engines or horse power on part or the whole of the said line; and the Company is also empowered to lay out and construct a double track on part or the whole of the said railway, if deemed necessary by the Directors, and the gauge of the railway shall be of the breadth to be determined by the Directors; and the building of the said railway and elevator may be commenced at such point or points, within the above-mentioned limits as shall be decided upon by the Directors of the said Company. *Provided, however,* that the said railway shall not pass through Mount Royal Cemetery, nor through the Cemetery of Côte des Neiges, nor through any of the avenues leading to the said cemeteries, nor, without the consent of the trustees of the Montreal Turnpike Trust, along or upon any road under their control, and that, before laying out, constructing and making any of the said railway within the limits of the city of Montreal or Mount Royal Park, it shall obtain from the council of the said city a consent to that effect, and the same shall be authorized by a by-law of the city of Montreal, on such conditions as to the council shall seem fit.

3. The Company is empowered to take and appropriate for its stations or depots, where such stations or depots may be required for any of the works by this act authorized, such immovable property as may be required therefor, subject to the provisions in that behalf of the Quebec Consolidated Railway Act, 1880. *Power of appropriation for stations, &c.*

4. The capital stock of the Company shall be one hundred thousand dollars, to be divided into two thousand shares of fifty dollars each, with the right of increasing the capital stock to two hundred thousand dollars, when deemed advantageous by a majority of the stockholders. The money so raised shall be applied, in the first place, towards the payment and discharge of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates relating to the works, and all the remainder of such money shall be applied towards making, constructing, maintaining and working the railway and elevator. *Capital stock of the Company.*

5. J. Alderic Ouimet, Charles Peers Davidson, William Wingfield Bonnyer, Hubert R. Ives, Selkirk Cross, and George C. Cooke, are appointed the first directors of the Company, with power to fill any vacancies that may occur therein, to open stock-books and make a call on the shares therein subscribed, to call a meeting of subscribers for the election of directors, in the manner hereinafter pro- *First directors of the Company. Stock-books.*

vided, and all such other powers as are conferred upon boards of directors by the Quebec Consolidated Railway Act, 1880.

Commence-  
ment of opera-  
tions.

6. When and so soon as ten thousand dollars of the capital stock shall have been subscribed, the Company may commence operations, and the directors or a majority of them shall call the first general meeting of the shareholders at such place and time as they shall think proper, giving not less than fifteen days public notice in two newspapers, published in the City of Montreal, one in the French language and the other in the English language.

Annual gene-  
ral meetings.

Notice.

7. The annual general meetings after the first meeting hereinabove mentioned, shall be held on the first day of February each year, or if such day be a holiday, on the next juridical day or on such day and at such place as shall be appointed by by-law, and notice of such annual meeting shall be published one month previously in two newspapers, published in the City of Montreal, one in the English language and one in the French language, that may be prescribed by the by-laws of the Company.

Board of direc-  
tors.

Qualification.

8. The board of directors shall consist of six directors, but this number may be diminished to five or increased to nine, from time to time, by by-law. No person shall be appointed a Director, unless he holds, in his own name and right, shares in the capital stock of the Company to the amount of twelve hundred and fifty dollars and has paid up all calls on such shares.

Quorum.

Managing  
director.

9. Three of the Directors shall form a quorum for the transaction of business, and the Directors may employ one of their number as Managing Director, who may have a salary to be determined by the Board of Directors.

Right of share-  
holders to vote.

Proviso.

10. Each shareholder shall be entitled to a number of votes equal to the number of shares he shall have had in his own name, at least two weeks prior to the time of voting; provided that no party or parties shall be entitled to vote at the meetings of shareholders who shall not have paid up all calls due upon his or their stock at least twenty-four hours before the hour appointed for the meeting.

Power to cross,  
&c, lines of  
other compa-  
nies.

11. It may and shall be lawful for the Company to cross, intersect, join and unite their railway with any other railway or tramway at any point on its route, and upon the lands of such other railway or tramway, with the necessary conveniences for the purposes of such con-

section, and the owners of both railways or tramways may unite in forming such intersections, and in granting facilities therefor, and in case of any disagreement upon the amount of compensation to be made therefor, or upon the point or manner of such crossing and connection, the same shall be determined by arbitrators, to be appointed by one of the Judges of the Superior Court for the Province of Quebec Case of disagreement.

12. It shall be lawful for the Company and the Montreal City Passenger Railway Company to enter into any agreement or agreements for the use, by the one or the other of the companies or both companies, at the same time, of the railroad of such other company or of any part thereof, or of any station, cars or any other immovable property of either or both such companies, or touching any service to be rendered by the one company to the other, and the price and compensation for such services, or for the construction of one or more branch roads, one or more tramways, in order to facilitate the junction of the railroads of both companies; and any such agreement, executed in due form of law by the two companies, shall be valid and binding, subject, however, to any statute now in force in reference to the powers and obligations of the said Montreal City Passenger Railway Power to make arrangements with Montreal City Passenger Railway Company, &c.

13. The provisions of the Quebec Consolidated Railway Act, 1880, in so far as not inconsistent with this act, shall apply to the Company. Quebec Consolidated Railway Act, 1880, to apply.

### CAP. XXXVIII.

An Act to amend the Act of Incorporation of the St. Johns and Sorel Railway Company.

[Assented to 30th June, 1881.]

**W**HEREAS the St. Johns and Sorel Railway Company have prayed to be authorized to amend their Act of Incorporation, 43-44 Victoria, chapter 53, and whereas it is expedient that their prayer be granted;

Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. \* It shall be lawful for the St. Johns and Sorel Railway Company to change the route of their railway, as fixed in their charter, between St. John's and Sorel, passing *via* St. Hyacinthe or Ste. Madeleine or any other place in the Power of company to change its line.

\* See next chapter, amending this section.



County of St. Hyacinthe which shall be deemed more advantageous or more practicable. The company shall have the right to cross the River Richelieu at such point, as may be most convenient.

43-44 V., c. 53, s. 12, amended. **2.** Section 12 of the Act 43-44 Victoria, chapter 53, is hereby amended by substituting, in the thirteenth line thereof, the word : fifteen, for the word : eight.

Id. s. 17, repealed. **3.** Section 17 of the said Act is hereby repealed.

Power to acquire branches. **4.** The Directors of the Company shall have full power and authority to enter into and conclude any arrangements with any other Railway Company, for the purpose of making or acquiring any branch or branches, to facilitate a connection between the Company hereby incorporated and such other Railway Company, or to acquire the corporate property and franchise of such other Company.

Railways acquired by company to be under Quebec Consolidated Railway Act, 1880. **5.** Except as otherwise provided by this act, every railway in the Province of Quebec, acquired by the Company, either by purchase or amalgamation, and every branch in the Province of Quebec, made or acquired by the Company, in pursuance of any arrangement under the provisions of this act, shall be held and deemed to be, according to the true intent and meaning of "The Quebec Railway Act, 1880," a railway constructed under the authority of an act passed by the Legislature of Quebec.

Power to amalgamate and make arrangements with other companies. **6.** The Company may amalgamate or enter into an arrangement with any other Railway Company or with the government of the Province of Quebec, for selling or leasing the said Railway or any part or branch thereof or the use thereof, at any time, and for any period, or for purchasing, leasing or hiring from such other Company or the said government any railway or any part or branch thereof, or the use thereof, at any time or times, and for any period or for leasing or hiring, as lessors or lessees, any locomotives, tenders, cars or other rolling stock or movable property from any such Company, or any Company or individuals, or the said government, and generally to make any agreements or arrangements with any such other Company or the said government, touching the use by one or the other, or by both, of the said railway or rolling-stock or movable property from any such Company or any Company or individuals or the said government, and generally to make any agreement or arrangements with any such other company or the said government, touching the use by one or the other, or by both, of the said railway or rolling-stock or movable property of either or both, or any part thereof,

or touching any service to be rendered by the one to the other, and the compensation therefor; Provided the said sales, purchases, leases, agreements and arrangements have been first respectively sanctioned by the majority of votes, at a special general meeting of the shareholders, called for the purpose of considering the same respectively, after due notice given as provided by "The Quebec Railway Act, 1880."

7. The company may, for the purpose of securing an early completion of the line between St. Johns and Sorel, agree with any other chartered railway company for the construction and maintenance of any portion of their road between the points named, and have full power and authority to delegate to such other company all such powers as may belong to the company, both as to rights of way and borrowing powers, and make such arrangements for the joint use of the road so constructed as they may mutually agree upon.

8. All shareholders in the company, whether British subjects or aliens or residents of Canada, or elsewhere, shall have equal rights to hold stock in the company, and to vote on the same, and be eligible to any office in the company.

9. The present act shall come into force on the day of the sanction thereof.

### C A P. X X X I X .

An Act to amend an act of this session intituled : "An Act to amend the act of incorporation of the St. Johns and Sorel Railway Company."

[Assented to 30th June, 1881.]

**W**HEREAS there has been an omission in the drawing up of the amendment to the first section of the said act, adopted in Committee of the Whole, and whereas it is expedient to supply such omission;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The first section of the act of this session intituled : "An act to amend the act of incorporation of the St. Johns and Sorel Railway Company," is repealed and replaced by the following :

"1. The St. Johns and Sorel Railway Company may change the line of its railway, as set forth in its charter,

Railway may change its line.

between St. Johns and Sorel, passing *via* St. Hyacinthe, Ste. Madeleine, or *via* any other place in the county of St. Hyacinthe which shall be found most advantageous and practicable, following the most direct line possible from St. Johns. The company shall have the right to cross the river Richelieu at such place as it shall deem most suitable."

Act in force.

2. This act shall come into force on the day of its sanction.

## C A P . X L .

An Act to amend the charter of the Quebec Central Railway Company.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS The Quebec Central Railway Company has become purchaser (adjudicataire) at sheriff's sale, of that portion of the Levis and Kennebec Railway which is now constructed and is now in possession thereof, and is working the same ; and whereas the Levis and Kennebec Railway Company has surrendered its franchise and right to build, maintain and work a railway, from the foot of the cliff, in the town of Levis, to the frontier of the State of Maine, in favor of the Quebec Central Railway Company ; and whereas the latter company is desirous of continuing and completing the said railway to the frontier aforesaid, and also of connecting the same with the wharves at deep water within the said town of Levis ; and whereas the Quebec Central Railway Company has, by its petition, represented that to enable it to complete and work the said railway, it is necessary that its charter should be amended ; and whereas it is expedient to grant the prayer of its petition ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows ;

Power to construct railway from deep water in Lauzon ward, Levis, to frontier of Maine, in county of Beauce.

1. The Quebec Central Railway Company shall have full power and authority to lay out, construct, make and finish a single or double railway, with iron or steel rails, of such width and gauge as the company may judge most advantageous, from any point at the wharves at deep water of the river Saint Lawrence in Lauzon ward, in the town of Levis, to a point most convenient on the frontier of the State of Maine, in the county of Beauce, making use of and maintaining for the said line, such part or parts only of the Levis and Kennebec railway, which was acquired by it at sheriff's

sale on the twenty second day of March, one thousand eight hundred and eighty one, as the company may see fit.

2. In constructing said line the said company shall be bound to continue, from the present terminus of the said Levis and Kennebec Railway, in the parish of Notre-Dame de Levis, into Notre-Dame ward in the town of Levis and erect a station there, thence traversing Lauzon ward in the said town of Levis and the villages of Bienville and Lauzon, to arrive at deep water in said Lauzon ward ; provided that, within thirty days from the sanction of the present act, the corporation of the town of Levis furnishes the said company with its valid guarantee and obligation to pay all excess over thirty thousand dollars of the cost of expropriation, for the right of way upon the said described route, in so far as said route traverses the parish of Notre-Dame de Levis, Notre-Dame and Lauzon wards in the town of Levis and the village of Bienville and Lauzon, following the brown line shown on the plan of the said company to be deposited for reference in the Public Works Department of this Province, to the point of intersection with the red line upon said plan ; and in default of said guarantee and obligation being so furnished, the said company shall be relieved of the obligation to adopt the route and erect the station described in this section and shall have the right to avail itself of the provisions of section one of this act, and provided, further, that in the event even of said guarantee and obligation being furnished, as hereinbefore mentioned, the said company shall be relieved of the obligation to adopt the route and erect the station, described in this section, and shall have the right, within one year from the sanction of the present act, to avail itself of the provisions of section one of this act, upon paying to the corporation of the town of Levis the sum of fifty thousand dollars before commencing the work of construction.

Line to be continued from present terminus of Levis and Kennebec Railway in parish of Notre-Dame de Lévis

Proviso, as to guarantee town of Levis.

If guarantee be not furnished.

Further proviso.

3. The said line of railway shall form part of the Quebec Central Railway, and all powers, conferred upon the Quebec Central Railway Company, shall apply to and may be exercised, with respect to the said line of Railway, in the same manner as if it had originally formed part of the Quebec Central Railway.

Line to form part of Quebec Central Railway.

4. The power and authority, conferred upon the Levis and Kennebec Railway Company by its act of incorporation, 32 Vict., cap. 54 and the amendments thereto, to lay out, construct and work a Railway, is withdrawn and ceases and determines.

Powers of Levis and Kennebec under 32 V., c. 54, withdrawn.

**Term for completing railway.**      **5.** The said line of railway shall be completed within five years from the passing of this act.

**Company may sell, &c., its railway.**      **6.** The Quebec Central Railway Company shall have the power and is authorized to sell, lease to or amalgamate with any other railway company, or to acquire any other railway or undertaking, by purchase or lease, or to make any agreement with any other railway company, for granting running powers to, or acquiring running powers from, such other railway company, for such length of time as may be thought best and generally to make any agreement or agreements with any such other company, touching the use by the one or the other, or by both companies of the said railways and undertakings, so purchased or taken by way of transfer, lease, amalgamation or fusion, as aforesaid, or any of them, or any part thereof respectively, or touching any service to be rendered by one company to the other, in relation thereto.

**Capital stock may be increased.**      **7.** The capital stock of the Quebec Central Railway Company may be increased, by resolution of the board of directors, at any time or from time to time, to an amount which shall not exceed in the aggregate four thousand five hundred pounds sterling per mile of its railway, as defined by this act, and paragraph 19 of section 7 of the Quebec Consolidated Railway Act, 1880, shall not apply to the company.

**Division of stock in shares.**      The stock of the company shall be divided into shares of twenty five pounds sterling each and the stock now issued shall be converted into such shares.

**Power to issue paid-up shares for bonds of Levis and Kennebec Railway Co.**      It shall be lawful for the company to issue paid-up stock, in exchange for bonds of the Levis and Kennebec Railway Company to such holders of lawfully issued bonds thereof as have agreed to accept the same.

**Power to issue bonds limited.**      **8.** The bonds which the company may issue, in virtue of section 2 of the act 36 Vict., cap. 47, are limited to the amount of four thousand pounds sterling per mile of its railway, as defined by this act and may be issued in dollars or pounds sterling. The bonds which the company may so issue shall bear first hypothec, as well upon the original portion of the Quebec Central Railway as upon the part added thereto by this act.

**Proviso.**      Provided however that this act shall not be held to affect the position or privileges of bonds Nos. 506 to 605 inclusive and No. 163 of a previous issue of bonds of said Quebec Central Railway, amounting to £10,000 stg.

**Charter of Quebec Central Railway Co.**      **9.** This act and the acts of this province, 32 Vict., chap. 57; 36 Vict., chap. 47; 38 Vict., chap. 45, and 40 Vict., chap. 32, shall be read and interpreted as forming one and

the same act for the purposes of the railway, and may be referred to and cited as "The Charter of the Quebec Central Railway Company."

**10** This act shall in nowise affect the rights of the creditors of the Levis and Kennebec Railway Company, nor shall it affect any cases now pending, to which the creditors of either of the said companies are parties.

Act not to affect creditors of Levis and Kennebec Railway or pending cases

**11.** This act shall come into force on the day of its sanction.

Act in force.

## C A P. X L I.

An Act to amend the Act incorporating the Waterloo and Magog Railway Company.

[Assented to 30th June, 1881.]

**W**HEREAS the Waterloo and Magog Railway Company have, by their petition, represented that it is desirable to amend their act of incorporation, and it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

**1.** The time for the completion of the said railway and works connected therewith, is hereby extended to five years, from the passing of this act.

Time for completing railway extended.

**2.** The said company may sell their railway, with all its property, privileges and franchises to any other incorporated railway company; or may amalgamate with any incorporated railway company; and such sale or amalgamation may be effected by a deed of agreement made with the sanction and approval of the shareholders of both companies, by resolution passed at special meetings thereof, specially called for the purpose, according to their respective acts of incorporation; and such deed of agreement shall only have full force and effect after a duplicate thereof shall have been deposited in the office of the Provincial Secretary of the Province of Quebec, and, from and after the date at which a notice of such deposit shall be published in the *Quebec Official Gazette*; and the said company may also buy and acquire the property and franchise of any other railway with which it connects, and may hire, lease and operate the same.

Power to sell, &c., railway.

Mode of sale, &c.

Power to buy, &c., other railways.

**3.** Whereas by a notarial deed of sale, executed on the seventeenth day of October, eighteen hundred and seventy

Preamble.

Certain deeds  
rendered  
valid.

one, before J. S. Hunter, N. P. the Ives Mining Company assigned and conveyed to the trustees and managers of the Vermont Central Railroad Company certain lands in the Townships of Bolton and Magog, which are fully described in the said deed; and, whereas, by a certain other deed of agreement and sale, executed before the said Notary Public, on the twenty sixth day of July, 1871, the Huntington Mining Company assigned and conveyed to the said trustees and managers of the Vermont Central Railroad Company, the rights of the said Huntington Mining Company to the railway, lands and other property and rights therein described; and, whereas, by a certain other deed of sale, executed at the city of Boston, in the State of Massachusetts, before witnesses, on the thirtieth day of October, 1874, the Central Vermont Railway Company, in their capacity as receivers and managers of the Vermont Central and Vermont and Canada Railroad Companies, assigned and conveyed to the Waterloo and Magog Railway Company all the property, lands, rights and privileges, intended to be conveyed by the two above recited deeds; now therefore, for the purpose of preserving the equitable rights and giving legal effect to the intentions of all the said contracting parties, in accordance with the tenor of the said agreements and deeds, it is hereby further enacted and declared, that the said several deeds shall be held to be valid and effectual, according to their purport, notwithstanding, any provisions to the contrary of the law of this Province, respecting the inability of foreign corporations to acquire, hold and dispose of immoveable property.

Act in force.

4. This act shall come into force on the day of its sanction.

## CAP. XLII.

An Act to amend the Acts relating to the incorporation for the Missisquoi and Black Rivers Valley Railway Company.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS the Missisquoi and Black Rivers Valley Railway Company have, by petition, prayed for amendments to their act of incorporation and to the act amending the same, and whereas the said company have already constructed and completed part of their railway, and, so far, have laid out considerable sums of money upon the same, and whereas they have prayed that the time, within which they are bound to complete the whole of

their railway, be extended, and whereas they have also prayed to be allowed to prolong and extend their line from Richmond to L'Avenir, and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The name of the company, heretofore designated as Name changed the Missisquoi and Black Rivers Valley Railway Company, shall be hereafter "The Missisquoi Valley Railway Company."

2. The said company shall have power to prolong and Power to pro- extend their line of railway, from their terminus in Rich- long line. mond to or near the village of L'Avenir, in the county of Drummond, there to connect with the line of railway, to be built by the South Eastern Railway Company from Drummondville to L'Avenir, and the company, shall also have Build tele- power to build and operate a telegraph line along the graph. whole length of their railway.

3. The time, fixed for the completion of the railway and Time for com- branches of the said company, is hereby extended to the pletion ex- last day of the year one thousand eight hundred and tended. eighty five.

4. The said company are hereby authorized to agree Power to make with the South Eastern Railway Company to run their arrangements own locomotives or cars upon the line of the said South for running Eastern Railway Company between Mansonville and with South Richford, under whatever conditions as may be settled Eastern Rail- upon between both companies, as to such running powers way Company. on the said part of line.

5. The annual meeting of the shareholders of the said Annual mee- company shall hereafter be held on the first Wednesday in ting of share- the month of February of each year, and, if such Wednes- holders. day be a non-juridical day, such meeting shall be held on the next following juridical day, and the term of office of Term of office the present board of directors is hereby extended from the of present first Monday of July of this year, to the first Wednesday board. of February next.

6. The said company may, by by-laws, enact that the Number of di- number of their directors be reduced from nine to seven, rectors may be and that the head office of the company be transferred to reduced. the city of Montreal or elsewhere in this Province.

7. The debentures issued under section 2, of the Act, 38 Certain debentures cancell- Vict., chap. 43, are hereby cancelled, but such cancella- ed.



tion shall have full force and effect only when the debentures now issued under the said act shall have been all redeemed by the said company.

New issue of debentures authorized. 8. The said company as soon as the debentures now issued shall have been all so redeemed, may issue debentures to the amount of twelve thousand five hundred dollars per mile of their railway and branches then constructed and in operation, but no such debentures shall be issued unless they be for five hundred dollars currency or one hundred pounds sterling each, and when any and every ten miles of the said railway shall have been constructed and shall be in operation; such debentures shall carry hypothec upon all and every part of the said railway, rolling stock, lands, stations, or other property of the said company, and shall be a first lien upon the said railway, lands, stations or other property, and that without registration, any provision of law to the contrary notwithstanding.

Privilege of such debentures.

9. Notwithstanding anything in the two preceding sections contained, should the said company fail to redeem and cancel all the outstanding bonds therein mentioned, by reason of the neglect or refusal of the holders thereof to present the same for redemption, the same shall be reckoned as though forming part of the issue of new mortgage debentures authorized by the present act, in so far only as regards the total amount of such unredeemed debentures; and any such unredeemed debentures may, at any time thereafter, be redeemed, and further issue made for the amount thereof, under this act, in like manner as at the first, and no debentures issued or to be issued, under the present act shall be invalid, by reason of the said company not having redeemed any portion of outstanding debentures, the holders whereof have neglected or refused to present the same for redemption.

Proviso, if debentures are not redeemed.

Debentures may be afterwards redeemed.

10. All debentures, redeemed as aforesaid, shall thereupon stand *ipso facto* cancelled, and shall be to all intents, null and void and incapable of re-issue.

Redeemed debentures cancelled.

11. This act shall come into force on the day of its sanction.

Act in force.

### CAP. XLIII.

An Act to amend the Acts relating to the South Eastern Railway Company.

[Assented to 30th June, 1881.]

Preamble.

WHEREAS the South Eastern Railway Company hath, by its petition, represented, that the customary

clause, now inserted in all railway charters, whereby the working expenses, including rents of leased roads, are made a first lien upon the earnings of the said companies, was omitted from its charter, and that it is desirable and necessary that the powers conferred by the said clause, should be possessed and enjoyed, to a limited and qualified extent, by the said South Eastern Railway Company, and hath prayed for an amendment to its charter in that respect, and it is expedient to grant the prayer of the said petition ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The lease, executed between the said South Eastern Railway Company and the Lake Champlain and St. Lawrence Junction Railway Company, bearing date the second day of April, one thousand eight hundred and eighty-one, passed at the city of Montreal, before William de M. Marler, notary public, whereby the said South Eastern Railway Company, obliged itself to pay to the exoneration of the said Lake Champlain and St. Lawrence Junction Railway Company, under certain conditions, in said lease set forth, the interest upon six hundred thousand dollars of bonds of the latter company, of which bonds the amount of three hundred and seventy eight thousand dollars is already issued and held by divers parties, the interest on which, amounting to eleven thousand three hundred and forty dollars, is absolutely to be provided for, and the remainder, amounting to six thousand six hundred and sixty dollars, to be provided for and paid on the occurring of the contingency, in the said lease set forth, which interest is to be paid semi-annually, in advance, by a special deposit of the amount due, in accordance with the said lease, in the bank of Montreal, in the city of Montreal, which deposit shall be held to be a sufficient compliance with the contract of the said South Eastern Railway Company with the trustees of the said bondholders, executed before witnesses, at the said city of Montreal, on the twenty-first day of January, 1881, and to make the payment of the said interest a first lien upon the earnings of the said South Eastern Railway Company, is hereby legalized and confirmed ; but nothing in this act contained, shall be held or construed as in any manner impairing or restricting the right of the said South Eastern Railway Company, as authorized by the act of the legislature of this province, (48-44 Victoria, chapter 49) to issue mortgage bonds as specified in the said act, and any mortgage bonds to be issued, in pursuance of the said last mentioned act, shall be valid and binding upon the said company, and shall form a first lien upon all its property, receipts and reve-

Certain lease confirmed.

Provido, certain powers of company not affected.

nues, save and except the priority of lien of the charge, arising out of the said lease as aforesaid.

Bonds unredeemed through not being presented not to prevent issue of those allowed.

2. Notwithstanding anything in the said act, 43-44 Victoria, chapter 49, contained, should the said South Eastern Railway Company fail to redeem and cancel all the outstanding bonds, mentioned in the said act, previous to the execution of the deed of trust, and the issue of the new mortgage bonds authorized by the said act, by reason of the neglect or refusal of the holders thereof to present the same for redemption, the same shall be reckoned as though forming part of the issue of new mortgage bonds, authorized by the said act, in so far only as regards the total amount of such unredeemed bonds; and any such unredeemed bonds may, at any time thereafter, be redeemed, and further issue made for the amount thereof, under this act, in like manner as at the first, and no bonds issued or to be issued, under the said above cited act, shall be invalid, by reason of the said company not having redeemed any portion of outstanding bonds, the holders whereof have neglected or refused to present the same for redemption.

May be hereafter redeemed and effect thereof.

Redeemed bonds cancelled.

3. All bonds redeemed, as aforesaid, shall thereupon stand *ipso facto* cancelled, and shall be to all intents null and void and incapable of re-issue.

Act in force.

4. This act shall come into force on the day of its sanction.

#### C A P. X L I V.

An Act to incorporate the Quebec, Montmorency and Charlevoix Railway Company.

[Assented to 30th June, 1881.]

Preamble.

WHEREAS Charles Langelier, advocate, and the Honorable François Langelier, both of Quebec, Louis Napoléon Carrier, notary, of Levis, Onésime Gauthier, yeoman, of St. Urbain, and several other persons have, by their petition, prayed for the passing of an act to constitute them a body politic and corporate and confer upon them the rights and privileges necessary for the construction and working of a railway, from some point in the city of Quebec to some other point on the banks of the River Saguenay; and whereas it is expedient to grant the prayer of the said petition:

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The said Charles Langelier, François Langelier, Louis Napoléon Carrier, Onésime Gauthier and such other persons as may become associated with them, in virtue of the present act, are hereby constituted a body politic and corporate, under the name of "The Quebec, Montmorency and Charlevoix Railway Company."

Persons incor-  
porated.Name of the  
corporation.

2. The said company is vested with all the rights and privileges required to build and work a railway, starting from some point in the city of Quebec and ending at some point on the banks of the Saguenay River, between Tadousac and Ha-Ha Bay, following as much as possible the north shore of the river St. Lawrence.

Rights vested  
in company.

3. The capital stock of the said company shall not be less than five hundred thousand dollars, divided into shares of one hundred dollars each, and the amount to which debentures of the said company may be issued shall be one million dollars, with power to increase the same, if necessary.

Amount of  
capital stock.

4. The board of directors of the said company shall be composed of seven directors, four of whom shall be a quorum, and they shall elect two of their number as president and vice-president, respectively.

Board of direc-  
tors.  
Quorum.  
President, &c.

5. The general meeting of the shareholders for the election of directors shall be held on the first Monday of July of each year, at the place and hour indicated in the notice concerning such meeting, and such notice shall be inserted in a newspaper, published in the city of Quebec, during the two weeks previous to the date of such meeting. The other meetings of the shareholders shall be published in the manner prescribed by the by-laws of the company.

General meet-  
ing of share-  
holders for  
election of di-  
rectors.Other mee-  
tings.

6. Until the election of directors, which shall take place at the first annual meeting of the shareholders, the said Charles Langelier, François Langelier, Onésime Gauthier, J. B. Z. Dubeau, Thomas Edwin Foster, Ludger A. Roberge and Auguste Laberge, shall form the board of directors of the company, and the board so constituted shall have all the rights and powers and enjoy all the privileges conferred by law upon the board of directors elected by the shareholders at their annual meeting, and particularly to open stock-books for subscriptions to the capital of the said Company, to call instalments on the subscribed stock and cause the same to be paid up, to issue obligations, bonds or debentures, and to commence and continue the construction and working of the said railway.

Provisional  
directors.

Powers.

Office of com-  
pany.

**7.** The principal place of business and the head office of the company shall be in the city of Quebec, or in such other place, as may be determined by the board of directors.

Power to ac-  
quire lands,  
&c.

**8.** The company may acquire and hold lands, timber-licenses, mining rights and other property of a like nature and work the same for its own profit.

Power to build  
branch lines.

**9.** Notwithstanding the provisions contained in the Quebec Consolidated Railway Act, 1880, and particularly in the sixteenth and seventeenth sub-sections of section seven of the said act, the company may construct and work branch-lines, each of twenty-five miles in length, and for such purpose, it shall have all the powers, rights and privileges conferred upon it for the construction and working of its main line. It may also build bridges, wharves and all other works necessary for the construction and working of its line.

To build  
bridges, &c.

Provision as to  
drainage and  
fencing.

**10.** Notwithstanding articles 21 and 22 of the Municipal Code and the provisions of section 16 of the Quebec Consolidated Railway Act, 1880, the Quebec, Montmorency and Charlevoix Railway Company shall not be bound to make drains and fences, of a greater size or more expensive than the drains and fences made on the lands traversed by the railway, by the owners of such lands, and in any case, the said company shall not be bound to make fences and drains in places where the line of the said railway shall be wholly situate within the water mark of the highest tides. In the event of the land of the said railway being situate, partly within and partly without the water mark of the highest tides as above mentioned, the said company shall not be bound to make drains and fences, except on the portion which is situate outside the highest tide mark ; provided, nevertheless, that the company shall not close or obstruct line ditches or other drains made by the owners of lands, traversed by the railway of the said company, and in existence at the time such road is built.

Proviso if  
lands situate  
partly above  
and partly  
below high  
water.

Quebec Conso-  
lidated Rail-  
way Act, 1880,  
to apply.

**11.** All the provisions of the Quebec Consolidated Railway Act, 1880, which are not inconsistent with the provisions of the present act, shall apply to the Quebec, Montmorency and Charlevoix Railway, as if they were incorporated in the present act.

Commence-  
ment and com-  
pletion of  
works.

**12.** The work hereby authorized shall be commenced in two years and terminated in ten years.

Act in force.

**13.** The present act shall come into force on the day of its sanction.

## CAP. XLV.

An Act respecting the turnpike roads between Longueuil and Chambly.

[Assented to 30th June, 1881.]

**W**HEREAS it is expedient to introduce new provisions Preamble.  
to prevent frauds committed by persons endeavoring to elude the tolls imposed under the ordinance, 4th Victoria, chapter 16, intituled: "An ordinance for establishing and maintaining better means of communication between the city of Montreal and Chambly"; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Section 17 of the Ordinance 4 Victoria, chapter 16, is Ordinance 4  
V., c. 16, s. 17,  
amended. amended by adding, at the end of the said section, the following words:

"It shall be lawful for the said trustees on or before the first day of December in every year, to take down or cause to be taken down and levelled by the proprietors thereof, within twenty-four inches of the ground, leaving only the posts standing above that height, all fences along the said turnpike road, except in places where there are hedges, or where there are fences built in such a manner that they cannot be taken down without great expense; and the fences so taken down shall not be put up before the first day of April in the following year." Fences may be  
taken, down.

2. Section 26 of the said Ordinance is amended by Sec. 26 of said  
ordinance,  
amended. adding at the end thereof, the following words:

"If any person or persons occupying or in possession of any land or garden near a toll house or gate, erected under the provisions of the said ordinance, 4 Victoria, chap. 16, and any person or persons opening or allowing to be opened and maintained, at any time, a road opening upon in a circuitous manner and of a nature to avoid the tolls of the said turnpike roads, at any distance less than two miles on the east side and one mile on the west side of the said turnpike road, permits or knowingly suffers any person or persons to pass over the said land or by any door, passage or road thereupon with any vehicle or animal subject to toll, by means whereof the payment of the said tolls shall be eluded, every such person or persons so conducting the said animal or vehicle, for which the payment of tolls has been eluded, on conviction of the offence before any justice of the peace, shall be respectively liable, for every such offence, condemned to pay a sum not exceeding twenty dollars, which shall be employed in improving the said Penalty on persons  
allowing  
roads, &c., to  
be opened to  
elude tolls.

Amount.

road; and it shall not be lawful for any one to open or cause to be opened, or to permit the opening of any road whatever, in opposition to the interests of the said trustees, under a penalty not exceeding one hundred, nor less than twenty dollars for every offence, and for every day during which such road shall remain open, recoverable in the manner hereinabove prescribed against such offender or offenders against the provisions of the said section 26 so amended, and against those who make use of such road.

## CAP. XLVI.

An Act respecting Laval University and for the purpose of increasing the number of its Chairs of Arts and other Faculties, within the limits of the province of Quebec.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS certain persons have raised doubts with reference to the right of Laval University to give a university course elsewhere than at Quebec; and whereas it is expedient to remove such doubts;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Chairs of arts,  
&c., increased.

**1.** Laval University is empowered to increase the number of its Chairs of Arts and other Faculties, within the limits of the province of Quebec.

Proviso as to  
pending cases.

**2.** This act shall not effect pending cases, as to damages and costs.

Act in force.

**3.** The present act shall come into force on the day of its sanction.

## CAP. XLVII.

An Act to incorporate the congregation of "Trinity Church," Quebec.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS the congregation, at present occupying the chapel of the Holy Trinity, in Saint-Stanislas street in the city of Quebec, have by their petition, prayed that the said congregation be constituted a body politic and corporate, for the purpose of acquiring and possessing the aforesaid chapel of the Holy Trinity, with all rights, civil and ecclesiastical thereunto belonging, and for such other necessary purposes as the interests of the congregation may,

from time to time, or at any time, demand; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec enacts as follows.

1. The Reverend Robert Ker, J. H. Richardson, Geo. Persons inocr-King, Saml. Mitchell, Henry J. Morton, H. F. Wallace, Jas. porated.  
Kelly, T. H. Mahony, W. Budden, Samuel Kennedy, John B. Charleson, T. H. Argue, Henry C. Austin, James T. Orkney, J. G. Boyce, Geo. Mead, W. H. Tapp, John S. Thom, Wm. Brown, and all other persons who are now or who may, hereafter, become members of the congregation shall be and are hereby constituted a body politic and corporate, under the name of "Trinity Church," and, as Name of the such, may sue and be sued, plead and be impleaded in all corporation.  
Her Majesty's courts of law.

2. By the term "member of the congregation" shall be Interpretation understood, one who is an habitual attendant, in conformity of certain ex- with the provisions of the seventh Canon of the Constitution pression.  
of the Synod of the Diocese of Quebec, and an annual subscriber to the Sustentation Fund of Trinity Church.

3. The said corporation is hereby empowered to pur-General pow- chase and hold in perpetuity, by any legal title, the afore- ers of corpora- said chapel of the Holy Trinity, with all rights whatsoever tion.  
possessed by and vested in the present owner of the property, the Reverend Edmund A. Sewell, M. A., and to hypothecate the same to secure the payment of any sum of money, which the said corporation may require to borrow to complete the aforesaid purchase.

4. It shall be lawful for the said corporation to elect, by Election of ballot or otherwise, three or more Trustees, then being, at trustees.  
the same time, members of the above mentioned corporation, whose duties shall be to collect and disburse all moneys Their powers.  
connected with the purchase-fund, sign all legal documents and do such other necessary acts as the purchase of the property and execution of the deeds may demand.

5. The corporation aforesaid shall have power to pur-Power to ac- chase property for parsonage or school buildings, as may quire real pro- be deemed necessary. perty for cer- tain purposes.

6. Furthermore, the corporation shall have a general Power to make power to make by-laws for regulating all matters connected by-laws.  
with the property and to amend or alter such by-laws, from time to time, as occasion may arise for such alteration or amendment.



Act in force. 7. The present act shall come into force on the day of its sanction.

## CAP. XLVIII.

Act to incorporate the "Notre-Dame Hospital," at Montreal.

[Assented to 30th June, 1881.]

Preamble.

WHEREAS the persons hereinafter mentioned have, by their petition, set forth that it is desirable and necessary that a general hospital be founded and established in the City of Montreal, that they have formed themselves into an association for the purpose of establishing and that in fact they have already founded and established such an institution, which is open since the month of July last, and has already received and tended a great number of indigent sick, without distinction of nationality or creed; and whereas they have prayed that, in order the better to attain the object of the said association, they and their successors be incorporated under the name of: "The Notre-Dame Hospital": Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Persons incorporated.

1. The Reverend Victor Rousselot, parish priest of the parish of Notre-Dame de Montreal; Alfred Larocque, Sr., Jean Philippe Rottot, M.D., R. J. Devins, C. S. Cherrier, Q.C., Emmanuel P. Lachapelle, M.D., the Reverend A. L. Valois, the Honorable J. Rosaire Thibault, E. A. Genereux, Adolphe Dagenais, M.D., Jacques Grenier, the Reverend H. A. Verreau, P. M. Galarneau, Alfred T. Brosseau, M.D., Henry R. Gray, François Benoit, J. Odilon Dupuis, J. Alfred Laramée, M.D., Charles P. Hébert, Ananie Hamelin, Thomas Tiffin, Arthur J. A. Ricard, M.D., Sévère Rivard, Joseph Hudon, Henry Morgan, Adolphe Lamarque, M.D., Zephirin Lapierre, Simeon Pagnuelo, Thomas Mussen, Charles M. Filiatrault, M.D., Alexandre Lacoste, Q.C., Hector Lamontagne, C. Alphonse Geoffrion, Q.C., Norbert Fafard, M.D., the Reverend G. Desmazures, Alphonse Racine, François O. Rinfret, B. E. McGale, Elzéar Berthelot, M.D., Arthur Prévost, Joseph Comte, Benjamin Globensky, Pierre P. Lachapelle, Hugues E. Desrosiers, M.D., Charles Lacaille, Cleophas Beausoleil, Vital Paradis, J. Bte. Vinet, Severin Lachapelle, M.D., S. Lachance, Jacques Brosseau, H. C. Cadieux, Saluste Duval, M.D., J. H. Leblanc, Joseph Cadorette, Euclide Mathieu, A. A. Foucher, M.D., L. J. A. Derome, F. Froideveaux, J. Gustave Laviolette, M.D., John Lee, G. O. Jacques, M.D., Charles A. Nelson, J. B. A. Beïque, Edward Murphy, and Victor Hudon, and all persons who may be associated

with them, in accordance with the provisions of the present act and their successors are constituted a body politic and corporate under the name of "Notre-Dame Hospital," and may, under any legal title, acquire, have and possess any immovable property and sell, alienate, lease, hypothecate or otherwise dispose of the same, in whole or in part, from time to time, as occasion may require and acquire others in their stead, to fulfil the objects of the corporation; provided always that the immovable property shall not exceed, in annual value, the sum of ten thousand dollars.

2. All persons who shall have paid an annual contribution of at least five dollars, shall be members of the corporation, and they shall remain members so long as they shall continue to pay the same.

3. All persons who, having made a gift of at least one hundred dollars, shall continue to pay at least an annual contribution of ten dollars, shall be life-governors of the corporation.

4. All persons who, having made a gift of at least twenty five dollars, shall continue to pay an annual contribution of at least five dollars, shall be eligible as governors of the corporation.

5. For the administration of the affairs of the corporation generally, there shall be a board called the "Board of governors," composed of all the life-governors and of not more than twelve governors, elected annually by the members of the corporation. Such board shall, from time to time, meet at the hospital, to examine the state of the affairs generally and for all other objects to be determined by rules and regulations to that effect.

6. The immediate administration, the control and the regulation of the medical and surgical service of the pharmacy, as well as the election and the appointment of the attending physicians, shall be entrusted to a board which shall be called "The Medical Board," and which board shall be composed of the following physicians: J. B. Rottot, E. P. Lachapelle, A. Dagenais, A. T. Brosseau, J. A. Laramée, A. G. A. Ricard, A. Lamarche, C. M. Filiatrault, N. Fafard, E. Berthelot, S. Lachapelle, H. E. Desrosiers, S. Duval, A. A. Foucher, and all others whom they may appoint to act with them or to succeed to them.

The board shall keep minutes of its proceedings and shall report, from time to time, to the board of management, as shall be provided for by rules and regulations to that effect.

**Board of management.**      **7.** The immediate administration, the control and the management of the corporation, shall be entrusted to a board which shall be called: "The Board of Management," and such board shall be composed of the parish priest, for the time being of the parish of Notre-Dame de Montreal or of his representative, of three members of the medical board, chosen and elected by it, and of three members of the board of governors, chosen and elected by it, and the board thus constituted, shall cause minutes of its proceedings to be kept, and shall, from time to time, report to the board of governors, as may be provided for by rules and regulations to that effect. The board of management shall, be composed of the Reverend Victor Rousselot, parish priest of Notre-Dame de Montreal, of Doctors J. B. Rottot, P. Lachapelle, A. Dagenais and J. G. Laviolette, and of

**Members of board.**

**Term of office.** Messrs. E. A. Genereux, Charles P. Hébert, R. J. Devins, and it shall remain so constituted, until the next general annual meeting, which shall take place at such time as may be determined by the rules to be adopted to that effect. \*

**Power to make by-laws.**      **8.** The board of management of the corporation may make any rules, not contrary to law, which may be thought useful or necessary for the government and management of the corporation, and may, from time to time, repeal or amend the same; and it shall have generally all the powers necessary to attain the objects of the present act.

**General meetings of members for certain purposes.**      **9.** A general meeting of the members of the corporation shall be held each year to receive the report of the board of governors, on the state of the affairs generally, and proceed to the election of governors eligible for the following year, as may be determined by rules and regulations to that effect.

**Reports to the legislature.**      **10.** The corporation shall be bound to make annual reports to the legislature, containing a general statement of its affairs; which said reports shall be presented within the first twenty days of each session of the legislature.

## CAP. XLIX.

An Act to amend an act of this session, intituled: "An Act to incorporate the Notre-Dame Hospital at Montreal."

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS the provisions of section 7 of the act of this session, intituled: "An Act to incorporate the

\* This section amended by the next chapter.

Notre-Dame Hospital at Montreal" are not in accordance with the prayer of the parties interested in the said act;

Whereas the provisions of the said section 7 as passed, prejudice the corporation of Notre-Dame Hospital in so far as it permits the members of the board of management to be perpetually elected and as such was never the intention of the promoters of the measure;

Whereas it is just to avoid that inconvenience and correct such error; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Section 7 of the act above cited in the preamble is <sup>44-45 V., c. 48,</sup> amended by striking out all the words after: "shall be com- <sup>s. 5, amended.</sup> posed," in the third line of the said section, and replacing them by the following: "of one priest from the Seminary of St. Sulpice, selected and appointed annually by the superior of the said seminary, of three members of the medical board, chosen and elected annually by it, of three members of the board of governors, chosen and elected annually by it, and the said board of management so constituted, shall cause minutes of its acts and proceedings to be kept, and shall, from time to time, report to the board of governors, as may be provided by rules and regulations to that effect. The board of management shall be composed of the Reverend Victor Rousselot, parish priest of Notre-Dame de Montreal, of Doctors J. B. Rottot, E. P. Lachapelle, A. Dagenais, and of Messrs. E. A. Genereux, Charles P. Hébert, and R. J. Devins, and it shall remain so constituted until the next general annual meeting, which shall take place at such time as may be determined by the rules to be adopted to that effect."

2. This Act shall come into force on the day of its <sup>Act in force.</sup> sanction.

#### CAP. L.

An Act to incorporate the "Protestant Hospital for the Insane."

[Assented to 30th June, 1881.]

**W**HEREAS the persons hereinafter mentioned have, by <sup>Preamble.</sup> petition, represented that a Protestant Institution for the care, maintenance and cure of afflicted persons, being insane or suffering from mental aberration or otherwise incompetent to act for themselves, is urgently needed in connection with the several Protestant Denominations in this province, wherein adequate provision might be made for the wants and for the employment of

such afflicted persons, in so far as they may be capable of work and with the object of their support and cure ; and whereas the Petitioners have further represented that such an Institution would be greatly aided by an act of incorporation and have prayed that they and their successors be incorporated ; and whereas it is expedient to grant their prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**Persons incorporated.**

**1.** The Right Reverend William B. Bond LL.D., Lord Bishop of the diocese of Montreal, John Jenkins D.D., LL.D., Gavin Lang, George Douglas LL.D., George H. Wells, Henry Wilkes D.D., A. H. Munro, W. S. Barnes, William A. Hall M.D., Sir Hugh Allan, Andrew Allan, George Macrae Q.C., Charles Alexander, Henry Lyman, M. H. Gault M.P., Thomas White M.P., Peter Redpath, Adam Darling, Hugh McLennan, James Coristine, S. H. May, T. James Claxton, James Johnston, Alexander McGibbon, Alfred Perry, Leo. H. Davidson, and such other persons, donors or subscribers as may, under the provisions of this act, be hereafter or are now associated with them and their successors are constituted and created a body corporate and politic, with all the rights incident by law to corporations, under the name of the " Protestant Hospital for the Insane."

**Name of corporation.**

**General powers of corporation.**

**2.** The corporation, from time to time, and at all times hereafter shall be able and capable to have, take, receive, purchase, and acquire, hold, possess, enjoy and maintain, to and for its use all lands and immovable property which may hereafter be sold, ceded, exchanged, given, bequeathed or granted to it, or to sell, hypothecate, alienate, convey, let or lease the same, if need be ; provided always that such lands and immovable property shall not exceed the annual value of ten thousand dollars apart from that actually used by the corporation ; and it shall be bound to sell any surplus property within five years from the time when such annual revenue shall become so excessive, as aforesaid, and to invest the proceeds thereof in public securities of the Dominion or the Province of Quebec or on first hypothec for the use of the said corporation.

**Proviso.**

**Appropriation of revenues.**

**3.** All and every the rents, revenues, issues and profits of all the property of the corporation shall be appropriated and applied solely for the purposes of the corporation, and the payment of all such outlays and expenditure as may legitimately be incurred in connection therewith, and for carrying into effect the objects contemplated by this act. Provided always that any surplus of the

**Proviso, as to surplus.**

said rents, revenues, issues and profits of the property of the corporation shall be, from time time, invested in government securities, or bonds, or on security of vendor's claims on real property, or first hypothec within the city of Montreal, and the corporation shall have power to consent to and grant an hypothec or hypothecs on its immovable property for the erection and maintenance of the building or buildings necessary for the institution. Power to hypothecate property for certain purposes.

4. The management of the affairs of the corporation, Management of affairs. and the ultimate and final control thereof shall be invested in a board of Governors, being Protestants and resident within the province of Quebec; and such board shall be composed;

(1) Of life governors, being those who shall have subscribed and actually paid the sum of two hundred dollars Life governors. or upwards to the institution; and of

(2) Elective governors not being less than twenty-four Elective governors. in number, at any one time, which said elective governors shall be chosen and elected annually from the subscribers for the then current year to the funds of the institution of any sum not less than ten dollars;

Provided always that, on payment of an annual subscription of not less than twenty dollars by any Protestant church or congregation, within the province of Quebec, or by any national society, the members of which are Protestants, such church or congregation or national society shall have the right of appointing one person as governor, who shall act during the year for which such subscription shall be made, subject always to the laws, rules and regulations of the said corporation and to the provisions of this act, and the persons so appointed by such church or congregation or national society, shall be in addition to the twenty-four elective governors above mentioned. Provide, as to election of governors by certain churches, &c.

5. The corporation, acting by the board of governors Power to make by-laws, &c. hereinbefore mentioned, shall have full power and authority, at any meeting duly convened and at which at least five of the governors shall be present, to make and establish all such by-laws, rules and regulations, not being contrary to this act nor to the laws of this province, as shall be deemed necessary or useful for the management of its affairs generally; and also for the admission, election or appointment of governors; the appointment of all meetings of the board of governors, the mode and time of election of elective governors; the nomination and appointment of such and as many physicians, surgeons and apothecaries as they shall judge necessary to attend

on the said hospital and on the patients, from time to time, admitted therein; the appointment of a steward, matron, nurse or nurses and all such other officers, servants and attendants as may be necessary for the carrying on of the hospital; and to fix the duties, powers, authorities and salaries, wages or allowances to be paid to any or all of the parties so appointed; and to remove the same or any of them and to appoint others in their place and stead, when and as the said governors may deem it advisable; and from, time to time, to alter, repeal and change the by-laws, rules and regulations or any of them.

Board of management, its composition, quorum and term of office.

Duties of board.

6. The immediate management and conduct of the institution shall be vested in a board of management, of not less than twelve in number, as may be fixed by by-law, of whom five shall be a quorum, and who shall act for three years, one third retiring annually; and such board shall cause minutes of its proceedings and acts to be duly kept, and shall, from time to time, report the same to the board of governors, as may be provided by any by-law, rule or regulation to that effect; and the board of management, shall be elected at a meeting of the board of governors, (including life governors and elective governors) and the election of the first board of management, shall take place within thirty days, from and after the time when elective governors shall have been chosen as hereinafter provided.

Calling of meetings of subscribers.

Election of governors.

7. A meeting of the subscribers to the institution shall be called, by the persons hereby incorporated or a majority of them, within six months after the passing of this act, by notice of not less than ten days, by advertisement to be inserted in at least two newspapers published in the city of Montreal, for the purpose of organizing the corporation, and determining the number of persons entitled to be life governors, at which meeting and at other similar meetings, unless otherwise provided by the by-laws, voting shall be as follows: for subscribers of ten dollars, and under one hundred dollars, one vote: of one hundred dollars, and under two hundred dollars, two votes: for any additional one hundred dollars, up to one thousand dollars, one additional vote, and for each additional two hundred dollars, over one thousand dollars, one additional vote: but no subscriber shall have more than twenty votes. At such first meeting, the election of elective governors shall be either by ballot or as may be ordered at the meeting, and at any subsequent meeting the mode of election shall be as provided by the by-laws.

Return to legislature.

8. The corporation shall, every year, within the first fifteen days of the Session of the Legislature, make a full

return to the Lieutenant-Governor and to both Houses, showing the state of its affairs and of its receipts and expenditure.

## CAP. LI.

An Act to amend the act incorporating "*L'Union Saint-Joseph à Saint-Sauveur de Québec.*"

[Assented to 30th June, 1881.]

**W**HEREAS the society known as "*L'Union Saint-Joseph à Saint-Sauveur de Québec,*" has, by its petition, represented that it would be in the interest of the said society, that the act incorporating the same be amended, and whereas it is expedient to grant the prayer of its petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The society, as constituted and incorporated by the act passed in the thirty first year of Her Majesty's Reign, is hereby continued, as a corporation.

2. The name of the corporation, shall continue to be "*L'Union Saint-Joseph à Saint-Sauveur de Québec,*" and, under such name, it may acquire and possess movable and immovable property by gratuitous or onerous title, by gift *inter vivos* or by will, without any restriction whatsoever, except that the society shall not hold immovable property having an annual value of over two thousand dollars or for purposes other than those of the society.

3. All persons, who shall be members of the society at the time of the coming into force of the present act, shall continue to form part thereof, until they shall cease to do so, in accordance with the by-laws and all other persons, whom the society may admit, in virtue of its charter and of its by-laws, may also become members thereof.

4. A majority of two-thirds of the members of the society present at a meeting convened according to the by-laws and, in default of such by-laws, by a notice published at least eight days beforehand in a newspaper printed in the French language in Quebec, may make such by-laws as they may deem proper, for the management of the affairs of the society and repeal or amend either the by-laws already existing or those which may hereafter be passed.

But, in any case, the by-laws which the society may make, shall not be contrary to law nor to the provisions of the present act.



Present by-laws continued.

**5.** The existing by-laws of the society shall remain in force until they are repealed or amended, in accordance with the present act.

Payment of assistance heretofore made, valid.

**6.** The sums, hitherto paid by the society, by way of assistance, shall be considered as having been validly paid, and the society may hereafter lawfully pay to the fathers or mothers of members who have died, leaving neither wives nor children the share of such member in the funds of the society.

Object of the society.

**7.** The object of the society is declared to be :

To form a benefit society amongst the French Canadian residents of St. Sauveur and neighborhood ; and by means of the revenue derived from the property of the society and of the monthly contributions, to form a fund for providing aid and assistance to its members, in case of accident or illness and, in the event of death, to their widows and children or fathers and mothers, to pay the funeral expenses of deceased members and to help the members of the society in procuring immediate assistance or life-rents.

Share, &c., not liable to seizure.

**8.** Neither the share or interest of any member in the funds or assets of the society, nor the assistance which it may grant any member, his widow, children, father or mother, nor the life-rent or assistance which any member may have obtained by transferring his share or interest in the society, as hereinafter provided, shall be liable to seizure or attachment or to be sold under execution.

Power of members to devise by will;

**9.** Any member may bequeath by will to whomsoever he may please, such aid or share in the property of the society which, without such will, would be payable to his family at his death.

To transfer their interest.

**10.** Any member of the society may also, for the purpose of obtaining either immediate assistance or a life-rent, but not otherwise, transfer and make over his interest in the society, either to a member or to an outsider.

Duty of assignee in such case.

The assignee, in such cases, shall thereafter pay all contributions which his assignor should have paid, and in default of his paying them regularly, the transfer shall be null and void *de pleno jure* and the assignee and the society shall thereupon be reinstated in their former position, as if such transfer had never been made.

Payment of assistance, if not transferred or if no will.

**11.** When a member dies, without having disposed, by gift *inter vivos* or by will, of his share or interest in the society, the assistance which shall become payable by his death shall be paid, first to his widow ; secondly, if he

leaves no widow, to his children ; thirdly, if he leaves neither widow nor children, to his father and mother.

**12.** The share of a member who shall die without having bequeathed it and leaving neither, widow nor children, nor father nor mother, shall belong to the society. Right of society to member's share in certain cases.

**13.** The society shall every year, within the first fifteen days of the session of the Legislature, make a report to the Lieutenant governor and to both Houses showing the state of its affairs. Return to the legislature.

**14.** The present act shall come into force on the day of its sanction. Act in force.

## CAP. LII.

An Act to incorporate "*L'Union St. Joseph à St. Roch de Québec.*"

[Assented to 30th June, 1881.]

**WHEREAS** it has been represented by petition that Preamble.  
there has for some time existed, in the parish of St. Roch de Quebec, a Provident and Mutual Benefit Society known as "*L'Union St. Joseph à St. Roch de Québec*"; whereas, in order the better to attain the end which it has in view, the said society has prayed for an act of incorporation, and it is expedient to grant its prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** J. E. Martineau, J. E. Latulippe, L. O. Villeneuve, Persons incorporated.  
J. B. Drouin, C. Pichet, L. T. Bernier, Jos. Beauchamp, C. Villeneuve, F. Auclair, Ephrem Dugal, Jos. Dubé, Nap. Dussault, Cy. Blais, Jos. Pineau, G. E. Robitaille, G. T. Blais, Siméon Belleau, Augustin Girardin, Théop. Bertrand, C. Z. Langevin, A. Monier and such other persons as now are or may hereafter become members, in accordance with the present act and the by-laws of the said society, are hereby constituted a corporation under the name of Name of corporation.  
"*L'Union St. Joseph à St. Roch de Québec.*"

**2.** The corporation may sue or be sued in any court of justice, enter into contracts and obligations, acquire and possess movable or immovable properties by gratuitous or onerous title, by gift *inter vivos* or by will, without any restriction whatsoever, except that the annual value of the immovable property, which such society may possess, shall not exceed the sum of four thousand dollars : and General powers of corporation. Restriction.

such society may also alienate the immovable property acquired or to be acquired by it.

Power to make  
by-laws.

**3.** A majority of two-thirds of the members of the society, present at any general meeting, convened in accordance with the by-laws of such corporation, may make such by-laws as they may deem proper for the management of the affairs of the society, and repeal or amend either the existing by-laws or those which may hereafter be passed.

But, in any case, the by-laws, which the society shall so make, shall not be contrary to law or to the provisions of the present act.

Present by-  
laws.

**4.** The existing by-laws of the society shall remain in force until they are repealed or amended, in accordance with the present act.

Object of the  
society.

**5.** The object of the said society is to form a Provident and Mutual Benefit Society among French Canadians or those who may be considered as such, being residents of St. Roch de Quebec and neighborhood, for the purpose of providing its members, by means of the revenue derived from the property of the society and the contributions of its members with assistance, in case of illness or accident, and in the event of death, of paying their funeral expenses and giving assistance to their heirs.

Power of mem-  
bers to transfer  
shares.

**6.** Any member may also, for the purpose of obtaining either immediate assistance or a life rent, but not otherwise, transfer and make over his interest in the society.

Duty of assi-  
gnee in such  
cases.

The assignee, in such case, shall thereafter pay all contributions which his assignor should have paid, and, in default of his paying them regularly, the transfer shall be null and void *de pleno jure*, and the assignor and the society shall thereupon be reinstated in their former position, as if such transfer had never been made.

Member may  
bequeath by  
will.

**7.** Any member may bequeath, by will, his share in the property of the society, in the same manner as he may dispose of any other property.

Distribution in  
case there is  
no will.

**8.** When any member dies, without having disposed of his share, by gift *inter vivos* or by will, such share shall become payable as follows: 1st, one half to his widow and one half to his children; 2nd, if he leaves neither widow, nor children, one half to his father and one half to his mother; 3rd, if he leaves neither father nor mother to his brothers and sisters, and, in default of all of the above mentioned heirs, it shall belong to the society.

9. Neither the share nor interest of any member in the assets of the society, nor the assistance which it may grant any member or his heirs, nor that which any member may have obtained by a transfer *inter vivos*, as aforesaid, nor the pension or life rent which he may have acquired by the said transfer, shall be liable to seizure or to be sold under execution. Share &c. not liable to seizure.

10. The said society shall, every year, within the first fifteen days of the session of the Legislature, make a report to the three branches of the said Legislature, showing the state of its affairs. Return to the legislature.

## CAP. LIII.

An Act to incorporate "The Sisters of St. Joseph of St. Hyacinthe."

[Assented to 30th June, 1881.]

**W**HEREAS for a number of years past in the parish of St. Hyacinthe, in the county of St. Hyacinthe, in this province, there has existed a religious community, with a noviciate, constituted under the authority of Monseigneur the Bishop of Saint-Hyacinthe and known as "The Sisters of St. Joseph of St. Hyacinthe," the object of which community is the instruction and christian education of young children, by means of elementary and model schools and subsidiary thereto to visit and nurse the sick; and whereas in order to consolidate their establishment and to ensure its prosperity and advancement, the said community, through their superior and professed sisters hereinafter named, have petitioned to be incorporated: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows: Preamble.

1. Mesdames Marie Ann Henriette Dufresne, known as Sister Marie du Precieux Sang, superior, Elizabeth Bergeron, known as Sister St. Joseph, assistant, Marie Appoline Dancausse, known as Sister Ste. Anne, depositary (or treasurer), Marie Victorine St. Jacques, known as Sister St. Hyacinthe, Marguerite Rose Delima Dansereau, known as Sister St. François d'Assise, Marie Clémence Perpetue Boileau, known as Sister St. Dominique, Marie Alphonsine Perron, known as Sister du Sacré Cœur, Marie Louise Bouchard, known as Sister du Cœur de Marie, Evelina Plante, known as Sister Thérèse de Jésus, professed nuns of the said community, and such other persons who now are, or hereafter may become members thereof, and will carry out its objects, according to its rules and Persons incorporated.

**Name of the corporation. General powers.** under the authority of the said Bishop, are, constituted a body corporate and politic, by the name of "The Sisters of St. Joseph of St. Hyacinthe" with all the rights, privileges and powers of corporations, whose object is spiritual, religious or moral.

**Quorum.** 2. The quorum of meetings of the corporation shall be composed of three of its members, always including the superior, who shall of right be president and in default of a president, the person who performs her duties in conformity with the rules or regulations of the community.

**Power to acquire, &c.** 3. The corporation, with the permission of the said Bishop, or in his default, of the administrator of the diocese of St. Hyacinthe, may at all times and places, henceforth, by purchase, donation, legacy, cession, or by any other legal title, acquire, possess, take, have, accept and receive all or any immoveable property of any kind whatever, for the maintenance, use, and for the objects of the said community, and also hypothecate, sell, lease, farm out, exchange, alienate, and in short dispose legally of the same, wholly or in part for the same objects, whenever they may deem it necessary so to do; provided always that such immoveable property, shall not exceed in annual value the sum of ten thousand dollars, beyond the value of the immoveables occupied for the objects of the said corporation, and provided also, that in case the said corporation becomes the proprietor of any immoveable, exceeding in value annually the sum of ten thousand dollars as aforesaid, it shall be bound to sell such surplus property, within five years from the acquisition thereof, and to invest the proceeds of such sale in mortgages or other securities.

**Proviso.**

**Power to make by-laws.** 4. The corporation, with the approval of the said Bishop, shall have full power and authority to make and pass, establish and sanction, rules, regulations, orders and statutes not contrary to this act, or to the laws in force in this province, which shall be thought necessary and advantageous to the administration of the said corporation. The said corporation shall also, with the approval of the Bishop, have power and authority to amend, correct, annul, wholly or in part, the said rules regulations, orders or statutes or any of them or of those of the said community, which are in force, at the passing of this act, and to substitute others therefor.

**Application of revenues.** 5. All the real estate, which at any time the corporation may own, and the rents, issues or profits thereof, shall always be used and applied exclusively to the accom-

plishment of the designs or objects above mentioned of the community, and in conformity with its rules, and also to the construction, repairs, and rents of any buildings necessary for the same designs or objects, as well for the benefit of the chief establishment now fixed at St. Hyacinthe, as for branch establishments of the same community, which may hereafter be established in other parts of this province, and for similar objects.

6. All property whether real or personal, and all credits, claims and rights, belonging to the community, are by this act vested in the corporation hereby constituted. Property of community vested in corporation.

7. None of the provisions of this act shall have or shall be deemed to have the effect of rendering all or any of the persons forming the corporation, personally liable for any debt, obligation or security contracted or consented to, for and in the name of the corporation, or relating to any matter or thing concerning the corporation. Members not personally responsible.

8. The corporation, whenever thereunto required by the lieutenant-governor, shall submit a detailed statement of all its property real and personal, its receipts and expenditure, for the space of time, and with the particulars, and other data, which the lieutenant-governor may require. Return to the legislature.

#### C A P. L I V .

An Act to incorporate the Nomingue College.

[Assented to 30th June, 1881.]

**W**HEREAS the Reverend A. Labelle, Henri Hudon, François Cazeau, Adrien Turgeon, Hyacinthe Hudon, Victor Hudon, Ludger Arpin and François Xavier Renaud, have formed themselves into an association, at the request of the Montreal Colonization Society for the purpose of establishing an industrial, commercial and classical college for young men, in the township of Loranger, in the Ottawa Valley, in order to better promote the interests of colonization in that section of the province; and whereas the said association has, by petition to the Legislature, prayed for an Act of incorporation for such purpose, and it is expedient to grant its prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The Reverend Antoine Labelle, Henri Hudon, François Cazeau, Adrien Turgeon, Hyacinthe Hudon, Victor Hudon, Ludger Arpin, François Xavier Renaud and such other Persons incorporated.

persons as may, hereafter, become members of the said association, are constituted a body corporate and politic, under the name of the "Corporation of Nominingue College."

**Rights and powers of the corporation.** 2. The corporation shall possess all the rights and powers granted by law to corporations of the same kind, which are necessary for the purposes for which it is founded.

**Power to acquire, &c.** 3. It may acquire, alienate and possess, for its use and purposes, movable and immovable property, provided the annual net revenue of such immovables, situate in the Province, shall not exceed the sum of ten thousand dollars.

**Application of revenues.** 4. The rents, revenues and profits of all the moveable and immoveable property of the corporation shall be employed towards the maintenance of the corporation, the advancement of the education of youth, the spiritual welfare of the settlers, the acquiring, improving and repairing of buildings necessary for such purposes and not for any other object whatsoever.

**Return to the legislature.** 5. The corporation shall be bound to make a report, every year, to the Legislature, within the first fifteen days of each Session, as to its movable and immovable properties, as well as of its receipts and expenditure.

### C A P. L V.

An Act to incorporate "The Montreal Amateur Athletic Association."

[Assented to 30th June, 1881.]

**Preamble.** WHEREAS the persons hereinafter named, with a large number of others in the City of Montreal, have associated themselves for the establishment of an Athletic Association, and have prayed to be incorporated by the name of "The Montreal Amateur Athletic Association," for the purpose of encouraging the practice of athletic sports in the City of Montreal and it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**Persons incorporated.** 1. Edward A. Whitehead, Angus Grant, Nicholas H. Hughes, William L. Maltby, Archibald W. Stevenson, Robert D. McGibbon, Hugh Wylie Becket, Robert McGill Stewart, Samuel L. Baylis, Thomas L. Paton, James King

Whyte and George R. Starke, and such other persons as are now members, or shall hereafter become members of the association, are constituted and shall be a body politic and corporate, for the above purposes, by the name of "The Montreal Amateur Athletic Association."

Name of the corporation.

2. The corporation shall have the right to purchase, acquire, hold, possess and enjoy all lands, tenements and hereditaments, and all real or immovable estate being and situate in the city of Montreal or its vicinity, necessary for its actual use and occupation, for the purpose for which it is created; and such property to hypothecate, sell, alienate and dispose of, and to acquire other instead thereof, whenever the corporation may deem it proper so to do; but such real estate shall not exceed the annual value of five thousand dollars.

Power to acquire, &c.

3. The constitution, rules and regulations, now in force, touching the admission and expulsion of members and the management and conduct generally of the affairs and concerns of the association, in so far they are not inconsistent with the laws of this province, shall be the constitution, rules and regulations of the corporation; provided always, that the corporation, may, from time to time, alter, repeal and change, in whole or in part, such constitution, rules and regulations, in the manner provided by the constitution, rules and regulations, then in force.

Present constitution, rules and regulations continued.

Proviso.

4. All properties and effects, now owned by, or held in trust for the association, are hereby vested in the corporation and shall be applied solely to the purposes of the corporation, and all debts, claims for subscriptions or contributions of members and other rights, accruing to the association under its constitution, rules and regulations, shall be vested in the corporation constituted by this act; and the corporation shall be charged with the liabilities and obligations of the association.

Property, &c., vested in corporation.

5. No member of the corporation shall be liable for any of the debts thereof, beyond a sum which shall be equal to the amount of the original entrance fee, and the respective share of every member in the amount of the subsequent contributions or divisions, which might hereafter be levied or allotted between all the members, for the time being, in equal shares, and which might remain unpaid by such member; and any member of the corporation, not being in arrears, may retire therefrom and shall cease to be such member, on giving notice to that effect, in such form as may be required by the constitution, rules and regulations, and thereafter shall be wholly free from liability

Members not personally liable.



Members expelled, &c., lose their rights. for any debt or engagement thereof; and every member, expelled or retiring from the corporation, or whose name shall have been struck out of the list of members, for any of the reasons mentioned in the constitution, rules and regulations, shall forfeit all rights of membership.

Application of revenues. **6.** The rents, revenues and profits, arising out of every description of movable and immovable property belonging to the corporation, shall be appropriated and employed to the exclusive use of the corporation, to the construction and repairs of the buildings required for the purposes of the corporation, and to the payment of expenses legitimately incurred in carrying out any of the objects relating to the aforesaid purposes.

## CAP. LVI.

An Act to incorporate "Le Club des marchands" de Quebec.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS there exists, in the City of Quebec, an association known as "Le Club des marchands," established for the purpose of procuring, for its members and the commercial class, generally, recreation for the mind as well as relaxation for the body, and whereas the persons hereinafter mentioned, have prayed, by their petition to be incorporated under the name of "Le Club des marchands," and it is expedient to grant their petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Persons incorporated.

**1.** Guillaume Bresse, John Ritchie, Jean Baptiste Zéphirin Dubeau, Philippe Vallière, Joseph Shehyn, Joseph Plamondon, George Roy, Olivier Rochette, Germain Lépine, Félix Gourdeau, Octave Migner, Jean Baptiste Laliberté, Emile Jacot, and such other persons who are now or who shall hereafter become active members of the said association, in virtue of the constitution, rules and regulations thereof, are constituted a body politic and corporate under the name of "Le club des marchands."

Name of the corporation.

General powers.

**2.** The corporation may from time to time, purchase, acquire, hold, exchange, take and receive, all lands, tenements and immovable estate, situated in the city of Quebec or its vicinity, necessary for the permanent use and occupation of the corporation, for the purposes for which it is incorporated, and shall have the power to hypothecate, sell, alienate and dispose of said properties whensoever

the said corporation shall deem proper so to do ; but the annual value of said properties shall not exceed twelve thousand dollars. Provide as to annual value of property.

**3.** The rules and regulations now in force with regard to the administration and general management of the affairs and interests of the association, in so far as they are not inconsistent with the laws of this Province, shall be the rules and regulations of the corporation ; provided always that the corporation may, from time to time, alter, repeal and change, in whole or in part, such rules and regulations, in the manner provided by the rules and regulations of the said corporation. Present constitution, rules, &c., continued.

**4.** Any person, who shall have paid into the capital stock of the said corporation the sum of one hundred dollars, shall be considered as one of the founders, but in no case, shall the number of such members exceed that of twenty, and every such founder shall not be responsible for the debts of the corporation, for an amount exceeding the sum of one hundred dollars, and shall be exempt from all subsequent contributions or apportionments which may be hereafter imposed. Persons considered as members of the corporation.

**5.** All the property and effects, now in the possession of the association, or held in trust for them, are hereby vested in the corporation, and shall be applied solely to the purposes of the corporation, and all debts and claims for subscriptions or contributions of the members, and all other rights that the association may have by its rules and regulations, are vested in the corporation created by this act, and the corporation shall be liable for all the debts and obligations of the association. Certain property, &c., vested in corporation.

**6.** No member of the corporation shall be liable for any of the debts thereof, beyond a sum which shall be equal to the amount of the original entrance fee and the respective share of every member in the amount of the subsequent contributions or divisions which might hereafter be levied or allotted between all the members for the time being, in equal shares, and which might remain unpaid by such member ; and any member of the corporation, not being in arrears, may retire therefrom, and shall cease to be such member, on giving notice to that effect in such form as may be required by the rules and regulations and thereafter shall be wholly free from liability for any debt or engagement of the corporation ; and every member expelled or retiring, or whose name shall have been struck out of the list of members, for any of the reasons mentioned in its rules and regulations, shall, forfeit all rights of membership. Members not personally responsible for debts, &c.  
Members expelled, &c., lose their rights.

Application of  
revenues.

7. The rents, revenues and profits, arising out of every description of moveable and immovable property belonging to the corporation, shall be appropriated and employed to the exclusive use of the corporation, to the construction and repairs of the buildings required for the purposes of the corporation, and to the payment of expenses legitimately incurred in carrying out any of the objects relating to the aforesaid purposes.

## C A P . L V I I .

An Act to incorporate the " Club St. Denis " of Montreal.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS it has been represented by petition that the persons hereinafter mentioned, and a large number others in the city of Montreal, have united for the purpose of forming a club for their common amusement, and that they have prayed to be incorporated under the name of the " Club St. Denis " ; and whereas it is expedient to grant the prayer of the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Persons incor-  
porated.

1. Guillaume Boivin, Jean Philippe Rottot, Moïse Brasard, Louis Henri Sénécal, Alfred Rambeau, Cléophas Beausoleil, Casimir Fidèle Papineau and Louis Tourville, and all other persons who now are or who may hereafter become members of the association, in accordance with the by-laws and regulations thereof, are constituted a body politic under the name of the " Club St. Denis."

Name of cor-  
poration.

General pow-  
ers of the cor-  
poration.

2. The corporation may acquire, either by gift, purchase or lease, and possess immovable property situate within or near the limits of the city of Montreal, and the same may sell, exchange or lease, and with respect to such immovable property, perform all acts of ownership ; provided however that the annual value of such immovable property shall not exceed ten thousand dollars.

Proviso.

Certain pro-  
perty, &c.,  
vested in cor-  
poration.

3. All the property and effects, belonging to or held by or for the association, are hereby vested in the corporation, and shall be used solely for the purposes thereof. All debts and claims which may be due to the association shall belong to the corporation, which may recover the same by any legal means, and the corporation shall be responsible for the debts and obligations of the association.

Members of  
corporation  
not personally

4. The members of the corporation shall not be responsible for any of the debts thereof, beyond the

amount of their entrance fee and of the annual contributions or assessments or such special ones as may be, from time to time, levied, in accordance with the by-laws then existing; provided always that a member who shall have paid the entrance fee and all the assessments demanded, may cease to form part of the corporation, by giving notice in writing to the secretary of his desire to cease to form part thereof. Mention of such fact shall be made in the books by the secretary and also of the date when such notice was received, and from that moment the member, who so resigns, shall cease to be responsible for the debts or obligations contracted by the corporation, and he shall, at the same time, forfeit all the rights and privileges which he enjoyed in his capacity of member.

responsible  
for debts, &c.

Proviso, mem-  
bers may  
retire.

5. Any member, expelled for any of the reasons mentioned in the by-laws, shall forfeit all the rights and privileges to which he was entitled as a member, but he shall continue to be responsible for all the sums which he may owe, either for his entrance fee or for assessments subsequently imposed, up to the date of his expulsion.

Member ex-  
pelled, &c.,  
loses his  
rights.

6. All revenues and profits, derived from the movable and immovable property belonging to the corporation, shall be set apart and employed for the exclusive use of the corporation, for constructing and repairing the buildings required for the purposes of the corporation, for the payment of the salaries of the employees and other expenses lawfully incurred in attaining any such ends.

Application of  
revenues.

### CAP. LVIII.

An Act to Incorporate "The Reform Club" of Montreal.

[Assented to 30th June, 1881.]

**W**HEREAS the persons hereinafter named, with a large number of others in the City of Montreal, have associated themselves for the establishment of a club for social and literary purposes, and have prayed to be incorporated by the name of "The Reform Club" and it is expedient to grant the prayer of their petition;

Preamble.

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Thomas Cramp, C. A. Geoffrion, J. M. Greenshields, Adam Darling, Arthur M. Perkins, James Stewart, C. Beausoleil, Honoré Mercier, James McShane, Junior, Ray-

Persons incor-  
porated.

mond Préfontaine, and such other persons as are now members or shall hereafter become members of the association, under its rules and regulations, are constituted and shall be a body politic and corporate for the above purposes by the name of "The Reform Club."

Name of corporation.

General powers of corporation.

2. The corporation shall have the right to purchase, acquire, hold, possess and enjoy, all lands, tenements and hereditaments, and all real or immovable estate, situate and being in the city of Montreal, or its vicinity, necessary for its actual use and occupation, for the purpose for which it is created, and such property to hypothecate, sell, alienate and dispose of, and to acquire other instead thereof, whensoever the corporation may deem it proper so to do; but such real estate shall not exceed the annual value of ten thousand dollars.

Proviso.

Present constitution to be continued.

3. The constitution, rules and regulations, now in force, touching the admission and expulsion of members, and the management and conduct generally of the affairs and concerns of the association, in so far as they are not inconsistent with the laws of this province, shall be the constitution, rules and regulations of the corporation; provided always, that the corporation may, from time to time, alter, repeal, and change, in whole or in part, such constitution, rules and regulations, in the manner provided by the constitution, rules and regulations, then in force.

Proviso.

Certain property, &c., vested in corporation.

4. All property and effects, now owned by or held in trust for the association, are hereby vested in the corporation, and shall be applied solely to the purposes of the corporation, and all debts, claims for subscriptions or contributions of members and other rights accruing to the association, under its constitution, rules and regulations, shall be vested in the corporation constituted by this act; and the corporation shall be charged with the liabilities and obligations of the association.

Members not personally responsible for debts.

5. No member of the corporation shall be liable for any of the debts thereof, beyond a sum which shall be equal to the amount of the original entrance fee, and the respective share of every member in the amount of the subsequent contributions or assessments, which might hereafter be levied or allotted between all the members of the club, for the time being, in equal shares, and which might remain unpaid by such member; and any member of the corporation, not being in arrears, may retire therefrom, and shall cease to be such member, on giving notice to that effect, in such form as may be required by the constitution, rules and regulations, and thereafter shall be wholly free

May retire.

from liability for any debt or engagement; and every member expelled or retiring from the corporation, or whose name shall have been struck out of the list of members, for any of the reasons mentioned in the constitution, rules and regulations, shall forfeit all rights of membership.

Members expelled, &c., lose their rights.

6. The rents, revenues and profits, arising out of every description of movable and immovable property, belonging to the corporation, shall be appropriated and employed to the exclusive use of the corporation, to the construction and repairs of the buildings, required for the purposes of the said corporation, and to the payment of expenses, legitimately incurred in carrying out any of the objects, relating to the aforesaid purposes.

Application of revenues.

### CAP. LIX.

An Act to incorporate "L'Institut Canadien-Français de Lévis."

[Assented to 30th June, 1881.]

**W**HEREAS an institute, called "L'Institut Canadien-Français de Lévis," is in existence in the town of Lévis, and whereas the members thereof, have, by petition, prayed that it be incorporated, under the name of: "L'Institut Canadien-Français de Lévis" and whereas it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The Honorable J. G. Blanchet, J. B. A. Trudel, J. E. Mercier, Paul Pouliot, P. C. Dumontier, Albert Marquette, Alfred Lemieux, Isidore Thibaudeau, Edouard Couture, and L. N. Carrier, and such other persons as now are or may hereafter become members of the institute are constituted a body corporate and politic, by the name of "L'Institut Canadien-Français de Lévis," for purposes of education and for the advancement of science and literature.

Persons incorporated.

Name of corporation.

2. The corporation may, from time to time and at any time, have, take, receive, purchase and acquire, hold and possess, for its use, lands and immovable property, provided that the annual revenue does not exceed five thousand dollars, and it may sell, alienate, convey, let or lease the same, if need be.

General powers of corporation.

3. The officers of the corporation shall consist of a president, a vice-president, a secretary, a treasurer, a librarian and a committee of management, not to exceed five

Officers of the corporation.

## Election.

in number, and such other officers as shall, from time to time, seem necessary to the corporation to appoint. They shall be elected at a meeting convened for that purpose, between the first of February and the first of March of each year. The officers already elected shall remain in office, until their successors shall be appointed.

Power to pass  
by-laws.

4. The corporation shall have power to pass by-laws, not inconsistent with the laws of the province, for fixing the terms of admission of its members, for the government of the same, for the election, appointment and removal of the officers and for the general regulation and management of its affairs.

## CAP. LX.

An Act to incorporate "L'Union Sucrière Franco-Canadienne."

[Assented to 30th June, 1881.]

## Preamble.

WHEREAS Messieurs Albert Choppin, officer of the Legion of Honor, late prefect, late director in the Ministère de l'Intérieur, and a director of the *Banque Commerciale et Industrielle*, at Paris, in France, Alfred Schacher, sugar manufacturer, Alfred Manger, civil engineer, Alfred Machèze, of the *Compagnie de Fives-Lille*, Hector Legru, sugar manufacturer, the scientific council of the corporation, all of Paris, in France; Adolphe Masson, merchant, Joseph O. Lafenière, merchant, both of Montreal, and Louis Tranchemontagne, merchant, of Berthier *en haut*, in the Province of Quebec, have, by their petition, prayed for an act of incorporation for the establishment, by means of capital to be subscribed in France and in other countries, of factories in the Province of Quebec, and more particularly at Berthier (*en haut*), situate within the limits of the said province, for the manufacture of sugar from beet-roots and for other operations connected with the refining of sugar and the sugar trade; And whereas it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

## TITLE FIRST.

## INCORPORATION OF THE INSTITUTION.

Corporation  
constituted.

1. A corporation is hereby created and constituted under the name of "L'Union Sucrière Franco-Canadienne."

## TITLE SECOND.

## OBJECTS OF THE CORPORATION.

2. The objects of the corporation shall be :

1. To undertake the management and profits of an interim corporation, which was formed to secure the construction, at a suitable time, of the factory at Berthier (en haut) and which has been dissolved by its amalgamation with the present corporation, the first object of which is to erect or finish the building of a factory at Berthier (en haut) and to work the same ;

2. To build, purchase or work other factories or refineries ;

3. To take an interest in the building, leasing, management or working of such factories as it may not entirely own ;

4. Finally to undertake all operations, either the manufacture of plant, or the handling and manufacture of the raw material such as lime, animal charcoal, or the acquiring and working of patents connected with the production of sugar, both as relates to the extraction of sugar from beet-roots and the refining of native or imported sugars ;

5. To purchase, acquire and sell or exchange beet-roots, sugar, raw material and the products of its factories manufactories or workshops, as well as all lands adapted to the cultivation of beet-roots ;

6. To cultivate or cause to be cultivated beet-roots or other plants which it may require for the manufacture and refining of sugar ;

7. To establish distilleries of all kinds for the purpose of utilising its molasses or wash and other residue of its factories, and also to extract alcohol from grain, sorghum, maize, and from all produce generally whatsoever ;

8. To operate or work every thing connected with the sugar industry or the cultivation of beet-roots.

## TITLE THIRD.

## HEAD OFFICE AND DURATION OF THE CORPORATION.

3. The seat or head-office of the corporation shall be at Paris, No. 25, rue du Quatre Septembre. A second head-office shall be established at Montreal, at such place as



shall be designated by the general meeting at the suggestion of the Board of management.

Head-office  
may be  
changed.

The head-office may also be changed in the same manner.

Duration of  
the company.

4. The duration of the corporation shall be thirty years dating from the coming into force of the present act.

## TITLE FOURTH.

### CAPITAL STOCK, SHARES, INSTALMENTS.

Capital stock.

5. The capital stock shall be ten millions of francs, French currency, divided into twenty thousand shares of five hundred francs. It may be increased by a resolution of the general meeting.

May be  
increased.

Shares and  
their issue.

6. The capital of ten millions of francs, French currency, shall be composed of successive issues, which shall only be realized as the wants of the society may require.

First series.

7. The first series shall consist of two thousand shares. Of the said two thousand shares composing the first issue, one hundred and twenty-five francs per share are paid up before the passing of this act; two hundred and fifty shall be paid by the 30th June; and the remaining one hundred and twenty five francs shall be subject to the call of the Board of Management.

Payment of.

Founders of  
the corpora-  
tion.

8. The corporation recognizes certain of its members, as founders of the corporation, who shall be entitled, as such, to the benefits provided for by this act.

Qualities of  
founders.

This quality of founder and the advantages connected therewith shall belong ;

1. To the persons who shall subscribe for the first series of shares ;

2. To the members of the Scientific Board (*syndicat d'études*.) represented by Jules Legru, de Douville (S. and O.) France ;

3. To A. J. Lavallée, of Montreal.

Founders'  
shares.

9. There shall be four thousand founders' shares. One shall be allotted to each of the shares of the first issue and the remainder to the members of the Scientific Board aforesaid, and to A. J. Lavallée.

Stock certifi-  
cates to  
founders.

Stock certificates shall be delivered to the founders in order to establish their rights under the first paragraph of section 8 and to facilitate the collection of their share of the benefits determined by section 84.

Stock certificates for founders shall be payable to bearer Payable to  
and they may be transferred in the same manner as shares. bearer.

**10.** For the future successive issues, as in the event of the Preferential  
capital being increased beyond the ten millions of francs, rights of  
the founders and holders of shares, previously issued, shall founders and  
have a preferential right to subscribe for the shares to be shareholders  
issued, in the proportion of thirty per cent for founders or in future  
their assigns and seventy per cent for shareholders. issues of stock.

The allotment of this seventy per cent shall be in pro-How allotted.  
portion to the number of stock certificates held by each  
shareholder.

**11.** Those of the shareholders, who do not possess a suffi-Union of  
cient number of shares to entitle them to one share in the shares.  
new issue, may unite to make up the necessary number and  
thus exercise their rights.

**12.** A by-law, drawn up and passed by the board of By-law to  
management, shall determine the delays and the manner determine  
in which the benefits set forth in the preceding provisions time to claim  
may be secured. such right.

**13.** The amount of the shares shall be payable in francs, Method of  
French currency, at Paris or in Montreal, at the dates to payment.  
be determined by the board of management.

After the first instalment shall be paid, an interim Interim stock  
stock certificate shall be delivered to the subscriber, certificate.  
bearing one of a series of numbers and on which subsequent  
payments shall be entered.

**14.** The calls ordered by the board shall be signified to Notices of  
the shareholders by means of notices published in two jour- calls.  
nals which publish legal notices at Paris, and at Montreal  
in two daily newspapers.

**15.** Every sum of money of which the payment is delayed, Interest on  
shall, of right, bear interest and without a suit at law arrears of  
being necessary, for the benefit of the corporation, at the calls.  
rate of six per cent *per annum* from the date at which such  
payment became due.

**16.** If the instalments upon any of the calls on stock are Sale of shares  
not paid when due, the numbers of the interim stock- of parties in  
certificates of those who are in arrear shall be published arrear on calls.  
in one of the daily newspapers of Paris and of Montreal.  
Fifteen days after such publication, the corporation shall  
have the right to sell such shares, on account of and at the  
risk and peril of the parties in arrear, in such manner as  
the Board of management may determine.

**How made.** Such sale, may be made in a lump or in detail, either on the same day or at successive periods, without any putting in default or any legal formalities being necessary.

**Interim certificates of such stock cancelled.** **17.** The interim certificates of the stock so sold, shall of right, become void ; and new ones shall be delivered to the purchasers under the same numbers.

**Conditions of negotiable certificate.** **18.** Every interim certificate, which does not contain a mention of the payment of the calls due thereon, shall cease to be negotiable. This condition shall be stated in the interim certificates.

**Other recourse reserved.** **19.** The steps hereinabove authorized to be taken, shall not prevent the corporation from having recourse, at the same time, to the ordinary proceedings at law.

**Application of proceeds.** **20.** The proceeds of the sale, after deducting the costs, shall be imputed upon the amount due by the expropriated shareholders, who shall still be liable for the difference, if there be a deficiency, but who shall be entitled to receive the surplus, if there be any.

**Certificates for shares partly paid up.** **21.** The corporation may, in pursuance of a resolution of a general meeting, deliver certificates to bearer, for shares on which fifty per cent is paid up, that is, two hundred and fifty francs.

**Certificates to bearer.** **22.** Certificates to bearer shall be taken from a register with counter-foil ; they shall be numbered consecutively and bear the signature of two directors and the seal of the corporation.

**How negotiated.** **23.** Stock certificates to order shall be negotiable by transfer, granted by the seller and accepted by the buyer.

**Power of attorney to be given to corporation.** When the parties act through an agent, the power of attorney shall be delivered to the corporation.

**Certificate as to signature.** **24.** The corporation may require that the signature of the parties and their capacity to act be certified by a stock-broker in France, or by a notary in Canada.

**Company not responsible for transfer.** **25.** And in no case shall it be responsible for the validity of the transfer.

**Certificate to bearer, how transferred.** **26.** Certificates to bearer shall be transferred by simple delivery.

**Exchange of certificates** **27.** Any shareholder may claim, in exchange for certificates made payable to bearer, a certificate to order. The

board of management shall determine the conditions, the manner, and the cost of effecting such exchange of certificates. A certificate to order may be exchanged for one to bearer. and the method to be followed.

**28.** The ownership of more than one share, in the name of the bearer, may be established by a collective certificate. Collective certificates.

**29.** Every share shall give its holder a right in the ownership of the assets of the corporation and to a share in the profits, in proportion to the number of shares issued. Rights of shareholders.

**30.** Payment of the dividends upon any share, either to order or to bearer, shall be valid, if made to the holder of the certificate. Payment of dividends.

**31.** The shareholders shall be liable only for the amount of each share ; no call shall be permitted beyond such amount. Obligations of shareholders.

**32.** Every share shall be indivisible, and the corporation shall recognize but one owner for each share. Shares are indivisible.

Co-proprietors of a share shall be required to be represented by one and the same person. Representation of co-proprietors.

**33.** The rights and obligations appertaining to shares shall follow the certificate into whatsoever hands it may pass. Rights, &c., follow certificate.

The possession of a share shall of right entail compliance with the by-laws or regulations of the corporation and the decisions of general meetings. Duties of shareholders.

**34.** In the event of any stock-certificates to bearer being lost, the corporation shall not be obliged to replace them or to pay the interest or dividends due thereon, until it has been furnished with satisfactory proof of the loss of such certificates and of the rights of the claimants, and also until all legal formalities have been fulfilled. Lost certificates, how replaced.

The board of management shall determine the conditions on which certificates to order, which have been lost or mislaid, shall be replaced.

**35.** The heirs or of a shareholder or their creditors cannot, under any pretext whatsoever, require the affixing of seals upon the property and securities of the corporation, nor interfere, in any way, with the management thereof. They shall, for the exercise of their rights, abide by the financial statements of the corporation and the proceedings of general meetings. Seals cannot be placed upon property of corporation.

Quotations  
upon *bourse*,  
&c.

**36.** Quotations at the bourse in Paris and stock exchange in the Province of Quebec, may be applied for.

## TITLE FIFTH.

### OBLIGATIONS TOWARDS THE CORPORATION AND OBLIGATIONS OF THE CORPORATION TOWARDS THIRD PARTIES AND THE PUBLIC.

Transfer of  
certain  
contracts to  
corporation.

**37.** All the benefits of the contracts, entered into by Mr. A. J. Lavallée, are transferred to the corporation on the conditions of the agreement entered into and signed with the interim corporation.

Bank of the  
corporation.

**38.** The corporation undertakes to apply to *La Banque Industrielle et Commerciale*, in France, in consideration of a commission, during the whole duration of the corporation, for all transactions within its competence, in which the corporation is interested, and particularly the issue of such shares as shall not be subscribed for by persons who are already shareholders or by founders who do not exercise their rights.

Certain  
persons to be  
employed.

Conditions.

**39.** The corporation shall, during its whole duration, employ the services of Mr. Legru, agent of the Scientific Board (*Syndicat d'étude*) and of Mr. A. J. Lavallée, whose duties have been determined by the agreement with the interim corporation, but on the condition that the said H. Legru, A. J. Lavallée and also the Scientific Board, undertake to refrain from any transaction which might prejudice the objects of the corporation, as regards the manufacture of beet-root sugar in the Province of Quebec.

## TITLE SIXTH.

### MANAGEMENT OF THE CORPORATION.

#### SECTION 1.—BOARD OF MANAGEMENT.

Board of  
management.

**40.** The corporation shall be managed by a board of management, composed of from seven to ten members, elected from amongst those shareholders who hold at least fifty shares.

Directors how  
appointed.

**41.** The directors shall be appointed at the general meeting of the shareholders, who may also appoint honorary presidents and members.

First board of  
management.

Nevertheless a first board of management has been appointed: they are the persons mentioned in the preamble. This latter board shall remain in office until the first general meeting to be held after the incorporation.

**42.** Before entering into office, each of them shall prove that he is possessed of fifty shares, on which all instalments, then due, shall have been paid. These shares shall remain affected by privilege, as security for his good management and shall not be transferable, while he remains in office.

Duties of members of board before entering office.

**43.** The directors, shall be elected each year at the stated general meeting. Retiring directors are re-eligible. In the event of resignation or of a vacancy occurring, the board may appoint a successor.

Election of directors.

The director who shall be appointed in the place of another, shall remain in office only during the remainder of his predecessor's term of office.

Duration of office of those elected to replace others.

The directors shall, for every time they are present, receive a counter or check, the value of which shall be determined by the general meeting.

Certificate of attendance.

**44.** The Board of Management shall be divided into two committees, one at Paris and the other at Montreal, with distinct powers as set forth in the 47th and following sections.

Division of board into committees.

The Paris committee shall be the most numerous, if there be more shareholders in France and *vice-versa* that of Montreal, if there be more shareholders in America ; but there shall always be three members in the most numerous and two in the least numerous committee.

Number of Members of committees.

The Board of Management is invested with the most ample powers for the management of the affairs of the corporation.

Powers of board.

**45.** The proceedings shall be recorded separately at Paris and at Montreal ; the number of votes shall be counted and that committee shall preponderate which shall have the most votes.

Minutes of proceedings.

**46.** The joint action of both committees shall be secured, by exchanging communication of their proceedings, by the next mail after each meeting and the monthly transmission of statements showing the operations of the past month.

Joint action of both committees.

**47.** The Board of Management, acting as set forth in section 45 :

Duties of board.

1. Shall pass by-laws for its internal management and determine the amount of the cost thereof ;

By-laws for internal management.

2. Shall appoint and remove the various heads of departments of the corporation, the technical or judicial boards, the manager, superintendents of factories and the

Employ, &c., officers, &c.

principal employees; shall determine their duties, fix their fees, salaries and qualifications; determine the amount of the security they shall give, and, if necessary, authorize it to be repaid.

Board may  
suspend, &c.,  
employees.

48. The Board of management shall have the right, in the cases provided for by the agreement, to suspend the permanent employees from office, until the next general meeting which shall finally give its decision in accordance with the provisions of section 85 and 86 and such meeting shall determine the new duties to be assigned to them.

Yearly  
financial  
statement to  
be prepared.

49. The Board of Management shall, each year, if necessary, prepare a financial statement of the undertaking or the general plan of operations to be followed, the annual inventories as well as the various necessary inventories which may be made during the year, the various accounts to be laid before the general meeting, and determine the amount of the dividend or sums to be advanced on account thereof;

Application of  
certain fund.

2. It shall determine the use to be made of the sinking fund and the reserve and provident fund;

Calls.

3. It shall determine the calls upon stock and the issue of new shares, within the amount of the capital;

Acquisition of  
lands, &c.

4. It shall authorize the acquisition of lands for new establishments or for those already in existence, and generally all acquisitions of immovable property; it shall approve the plans for buildings to be erected and the contracts for erecting the same, or for the plant of the factories, whether the same be new or old;

Regulate  
cultivation,  
&c.

5. It shall regulate all undertakings respecting cultivation and the acquiring of all patents;

Authorize  
sales, &c.

6. It shall authorize all alienations of securities forming part of the capital stock, either by sale, transfer, or by investment in stocks as well as all liquidations of joint-accounts;

Approve  
sales of goods,  
&c.

7. It shall approve all sales of goods to be delivered, except those which may be made for purchases of raw sugar for refining, all contracts for supplies of raw material, the value of which may exceed one hundred thousand francs, which may be made for more than one year, and generally all contracts which would, in any wise, be contrary to the rules or forms previously adopted by the board.

Deliberate on  
all questions  
respecting  
loans

8. It shall finally deliberate on all questions to be submitted to the general meeting such as loans, the amendments

or additions to be made to the by-laws, the anticipated dissolution or extension of the duration of the corporation or its amalgamation with any other.

9. It shall pass rules with respect to the delegation of its powers to any of its members ; or to the officers or agents of the corporation. Make rules, &c.

50. It shall be the duty of the Montreal committee of the board of management to supervise the working of the corporation in the province of Quebec, and more especially : Duties of Montreal committee.

1. To manage and supervise, in accordance with the general rules laid down by the board of management, all the interests of the corporation in the province and, in particular, to conclude all existing agreements, except such as are within the province of the board, to effect also all current sales of the goods produced by the corporation, except contracts to deliver other than those which may be made for purchases of raw sugar for refining ; To manage the interests of corporation in province.

2. To see to the keeping of the accounts and to supervise the movements of the funds, the management and working of the factories in the province of Quebec, subject always to the rules agreed upon by the board ; to supervise the cash and store-houses ; Supervise monetary affairs of corporation in province.

3. To appoint cashiers, accountants and other factory employees in Canada, other than managers. Appoint cashiers, &c.

51. The duty of the Paris committee shall be to superintend the working of the corporation in Europe. Its duties shall be : Duty of Paris committee.

1. To execute all orders for purchase of plant given by the Board ; Purchase plant.

2. To make arrangements for the transportation of such plant ; Arrangements for transportation of plant.

3. To attend to the effecting of loans if need be ; Effect loans.

4. To pay the dividends in Europe ; Pay dividends in Europe.

5. To see to the placing on the market of the new shares, which may not be taken up by founders or shareholders ; Place shares on the market.

6. To cause a synopsis of the books of the corporation to be kept and also to keep, in duplicate with the Canadian Committee, registers for the transfer of shareholders' and founders' shares. Synopsis of books of corporation and keep transfer book for shares.



Committees  
may effect  
short loans.

**52.** Each of the Committees of Paris and Montreal shall have power to effect short date loans, which shall not be permanent loans, to the extent of two hundred and fifty thousand francs, French currency.

Election of  
President and  
Vice-President  
of board.

**53.** The Board of Management shall elect a President and Vice-President.

Election of  
President and  
Vice-Presi-  
dents by  
committees.  
Meeting of  
board.

**54.** The Paris Committee and the Montreal Committee shall likewise each elect a President and Vice-President.

How called.

**55.** The Board of Management shall meet as often as the interests of the corporation may require and at least once a month. Its meetings shall be called by the President or Vice-President or by the Director who shall fill their place.

When the  
meetings of  
committees  
are held.  
Resolutions  
binding.

**56.** The Paris and Montreal Committees shall meet in their respective meeting-rooms.

When a resolution shall have been passed by each of the Committees, the resolution or decision shall be valid.

Absent  
directors may  
vote by proxy.

**57.** A Director who is absent may be represented at the meetings of the board, so called by the committees, by means of special mandate given to one of his colleagues or to a person attending the meeting of the board. No person shall, as proxy, have more than three votes at the board.

Or in writing.

Directors who are absent may also give their vote in writing.

Decisions of  
Board.

**58.** Decisions of the Board of Management shall be taken by an absolute majority of the votes.

Casting vote.

When the votes are equal, the president shall have a casting vote.

As to com-  
mittees.

The same shall apply to the decisions of the Committees, on subjects within their competence.

Minutes to be  
kept.

The proceedings shall be recorded by minutes entered in a register and signed by the president, the vice-president or the director who shall fill their place and by another director.

Entry of  
decisions of  
committees.

When the proceedings are concluded in Canada they shall be entered in the Paris register and *vice-versa*.

Copies how  
certified.

**59.** Copies or extracts from such minutes, which are required to be produced in court or elsewhere, shall be certified by a director.

Members not  
personally  
liable.

**60.** The members of the board of management shall not incur any personal or joint and several liability in the performance of their duties; they shall be responsible only for the proper execution of their trust.

**61.** No director shall, directly or indirectly, transact business with the corporation, without the consent of the general meeting. Nevertheless the directors are authorized so to do, in cases where such business is connected with their professional specialties and an exception is made as regards machine shops.

Directors cannot transact business with corporation. Exception.

**62.** A special account of such transactions must be submitted, each year, to the general meeting.

Account of such transactions.

**63.** In no case shall a director, who is authorized to transact business with the corporation, hold a mandate of the corporation, nor have greater powers than the other directors generally. In this category the functions of the president and vice-president of the committees are not included.

Restriction of powers of directors in certain cases.

## SECTION II.—THE CENSORS.

**64.** Three censors (*commissaires censeurs*), shall be appointed by the general meeting. They shall remain in office for the space of one year; they may always be re-elected.

Appointment and decision of office of censors.

In case of the death, absence, illness or retirement of one of the censors, steps shall at once be taken by the remaining censors to replace him.

Death, &c., provided for.

Before entering into office, each of them must prove that he is the holder of twenty shares. Such shares shall remain affected by privilege, as security for his good management, and shall not be transferable while he remains in office.

Duties before entering office.

**65.** The provisions of this act, respecting the counters or checks given for every time they are present, shall apply to the censors as well as to the directors.

Certificates of attendance.

**66.** The duty of the censors shall be to see to the strict observance of the provisions of this act, and to the ordinary and industrial working of the society;

Powers and duties of censors.

They shall be entitled to be present at the meetings of the board and of those of the committees and to give their opinion;

They shall examine the yearly accounts and inventories and certify to their correctness;

The books and accounts, and generally all documents of the corporation, shall be submitted for their examination, at their request;

They may, at any time, examine the cash, securities and vouchers of the corporation;

They shall make an annual return to the general meeting; which return shall be printed and distributed to the members at the meeting;

The censors shall have the right, when they unanimously decide upon it, to have an extraordinary general meeting called.

## TITLE SEVENTH.

### GENERAL MEETINGS.

**General meetings.** **67.** The general meeting, regularly constituted, shall represent the whole body of the shareholders.

**How composed.** It shall be composed of all the shareholders holding at least ten shares.

**Who may take part thereat.** **68.** In order to be entitled to take part in the proceedings of the general meeting, the shareholders must have held such ten shares, at least thirty days before the day appointed for the meeting.

**List of shareholders.** **69.** The list of shareholders, having a right to take part in the general meeting, shall be prepared by a board of management. It shall show, opposite the name of each shareholder, the number of shares which he holds.

**Examination of list.** This list shall be open to the examination of such shareholders as wish to examine it, at least ten days before the day fixed for the meeting, at the office of the corporation, in Paris and at Montreal.

**Annual meeting when and where held.** **70.** The general meeting shall be held before the thirty-first of July in each year, either at Quebec or at Paris, in France, according as there may be more shares to order held, and stock certificates to bearer deposited, in the Province of Quebec or in France.

The general meeting, in such case, shall decide the place where the general meeting shall be held in the following year.

**Special meetings.** In the case of a special general meeting, such place shall be that in which ordinary general meetings are held.

Special meetings shall, moreover, be held whenever the board of management deems it necessary, or the censors unanimously require the same.

**First general meeting.** **71.** A first general meeting shall be held in Paris, day for day, two months after the date of incorporation, at Paris or at Montreal, called by notice published in a daily newspaper published in Montreal and in Paris, thirty days before the date of such meeting.

**Meetings how called.** **72.** The ordinary and special meetings shall be called at least sixty days before-hand, by a notice inserted in a daily newspaper in Paris, and in another in Montreal.

**Notice.** Such notice shall specify the date of the meeting.

**73.** Shares to order shall be counted in one of the above Shares to orders how counted.  
two categories, according as the holder shall reside in  
America or in France.

**74.** The meeting shall be regularly constituted when Meeting of when constituted.  
one-fourth of the shares forming the capital stock is repre-  
sented thereat.

**75.** If the condition, provided for in the preceding section, If meeting fails calling of second.  
is not fulfilled, the board of management shall, a second  
time, call a general meeting, within an interval of at  
least one month.

**76.** All the proceedings of members, present at the Proceedings at second meeting.  
second meeting, shall be valid, whatever may be the  
number of the shares which they represent.

## TITLE EIGHTH.

### ACQUISITION OF REAL ESTATE OR OTHER BENEFITS.

**77.** The corporation may acquire and possess such real Corporation may acquire real estate, &c.  
estate as may be necessary, for its offices for the adminis-  
tration of its affairs, in the Province of Quebec

The corporation may, for the purposes of its business,  
acquire and hold any real estate it may think proper, in the  
said province.

It may lease, hypothecate and sell all such real estate  
acquired by it.

The corporation may moreover lawfully receive all  
municipal or other bonuses or grants.

## TITLE NINTH.

### INVENTORIES AND ANNUAL STATEMENTS OF ACCOUNT.

**78.** The corporation's financial year shall end on the End of financial year.  
30th of April.

At the end of the financial year, a general statement of Statement of assets and liabilities, &c.  
the assets and liabilities shall be prepared, under the  
supervision of the board of management And further, a  
statement shall also be prepared between the period at  
which the refining of imported sugar shall cease, and that  
at which the refining of native sugar shall be commenced.

**79.** The accounts shall be prepared by the board of Accounts, &c., prepared.  
management.

They shall be submitted to the general meeting of the How submitted.  
shareholders, who shall approve or reject the same, and  
shall determine the dividend to be paid, after having heard  
the report of the board and that of the censors.

## TITLE TENTH.

## DIVISION OF PROFITS, RESERVE AND PROVIDENT FUND.

## Profits.

**80.** The net proceeds, after deducting all charges, shall constitute the profits of the corporation.

Application of  
percentage of  
profits; for  
maintenance,  
&c.

**81.** When the difference between the receipts and expenditure is once established for each factory or establishment connected with the corporation, there shall be levied on such difference an amount equal to one tenth of the value of the plant in each establishment. This amount shall be credited to a special account for maintaining, and if necessary, wholly or partially replacing such plant. This amount shall cease to be levied, as soon as the credit side of the account shall attain to the amount of the value of the plant.

For reserve  
fund.

**82.** In addition to the sum so levied, there shall be taken from the general profits of the corporation an amount equal to five per cent. of the profits. This amount shall form a reserve fund which shall constitute a reserve fund to the extent of one-half of the capital.

## Dividends.

Afterwards, a dividend shall be paid the shareholders of the extent of eight per cent on the capital stock allotted.

Provident  
fund.

**83.** The board of management may, moreover, form a special provident fund and determine in which manner shall be invested the sums composing such fund.

Division of  
surplus profits.

**84.** The surplus profits, if any, shall be divided into three parts, namely:

1. Fifty per cent. for the shareholders as an extra dividend;
2. Ten per cent. for the board of management;
3. Forty per cent for the founders.

## TITLE ELEVENTH.

## RULES AND REGULATIONS.

Calling of  
meetings to  
make, &c.,  
rules, &c.

**85.** When the general meeting shall be called upon to vote on the adoption or amendment of the rules or regulations, the notices calling such meetings shall contain a summary mention thereof.

Certain num-  
ber of shares  
must be  
represented at  
meeting.

**86.** The proceedings at such meeting shall not be valid, unless carried by two-thirds of the votes, representing at least one-third of the shares issued.

87. The by-laws or regulations must not be contrary to the laws of the Province of Quebec, nor to the provisions of this Act; and those to take effect and be executed in France must not be in conflict with the laws of that country.

## TITLE TWELFTH.

### DISSOLUTION AND LIQUIDATION OF THE CORPORATION.

88. If the real estate and other securities, representing the capital of the corporation, are sufficient, or more than sufficient to repay to the shareholders the amount of their shares, the whole shall be considered as belonging to the shareholders; if they are insufficient, the shareholders shall take the difference from and out of the reserve fund.

89. That which remains of the statutory reserve fund and the securities representing the capital of the corporation sufficient to repay the shareholders, if the securities representing the capital have been insufficient for such repayment, shall be considered as accumulated profits and shall be divided amongst the shareholders and the persons holding the founders' shares. The provident fund shall always be considered as accumulated profits and the founders' shares shall be entitled thereto, even before the capital is integrally repaid.

## TITLE THIRTEENTH.

### ORGANIZATION AND FINAL CONSTITUTION OF THE CORPORATION.

90. The persons mentioned in the preamble shall open in Paris and in Montreal, subscription books for the first issue of shares in the capital stock, at such place and for such time, as they may deem advisable.

After the closing of the books, they shall allot the shares, forming the first issue in proportion to the amount of each one's subscription.

91. For all future issue of stock every subscriber shall, when he subscribes his name, make an election of domicile in France or in the province of Quebec.

Notice shall be given to each subscriber of his allotment, by a letter addressed to the domicile indicated and sent by post.

Within five days from the date, at which such letter was sent to his address, each subscriber shall pay, into the hands of the person or banking institution designated for

Amount to be paid. that purpose, twenty five per cent upon the amount of the shares allotted to him.

Shareholders. The subscribers who shall pay twenty five per cent shall become shareholders.

Election of directors, &c., at first meeting. **92.** At the first meeting, provided for by section 71 of this act, the persons mentioned in the preamble shall elect the first directors, and the meeting itself shall elect the censors, and thereupon the corporation shall be duly organized and finally constituted.

## TITLE FOURTEENTH.

### PRIVILEGE.

Privilege granted to corporation. **93.** A privilege for twenty years, dating from its final organization, is granted to the corporation and to the Scientific Board (*Synkirat d'études*.)

Nature of such privilege. Such privilege shall consist in the Government of the Province of Quebec binding itself not to authorize the formation, within the limits of its territory, of any other corporation for the manufacture of beet-root sugar in any way represented in any country outside of the British Empire.

## TITLE FIFTEENTH.

### COMING INTO FORCE.

Act in force. **94.** This act shall come into force on the day of its sanction.

## C A P. L X I.

An Act to incorporate the Eastern Townships Colonization and Credit Company.

[Assented to 30th June, 1881.]

### Preamble.

**W**HEREAS the persons hereinafter named have, by their petition, prayed for an act of incorporation constituting them a company by the name and style of "The Eastern Townships Colonization and Credit Company," with power to acquire, clear and improve lands and to perform various undertakings connected with the colonization and cultivation of land, and the investment of capital in this province, and specially in the Eastern Townships; and whereas it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Jérôme-Adolphe Chicoyne, advocate, of Sherbrooke ; Persons incor-  
 Joseph Bolduc, proprietor, of St. Victor of Tring, member porated.  
 of the Dominion Parliament, for the county of Beauce ;  
 Jacques Picard, proprietor, of Wotton, member of the  
 Provincial Parliament for the counties of Richmond and  
 Wolfe ; William Brouage Chaussegros de Lery, advocate,  
 of St. François, Warden of the county of Beauce ; Hubert  
 Charron Cabana, advocate, of Sherbrooke, town councillor,  
 and ex-mayor of the city of Sherbrooke ; Joseph Azarie  
 Archambault, notary, of Sherbrooke, member of the board  
 of notaries of the province of Quebec ; Elisée Noël, notary,  
 of Sherbrooke ; Pierre Lafrance, director of the " Banque  
 Nationale," of Sherbrooke ; Eugene Bécigneul, proprietor,  
 of Channay, in the township of Woburn, in the county of  
 Beauce ; and such other persons, who may from time to  
 time be in possession of shares in the capital of the company,  
 are constituted a body politic and corporate by the name of  
 " The Eastern Townships Colonization and Credit Com-  
 pany " and such corporation may acquire and hold im- Name of corpo-  
 moveable, property, resell the same in whole or in part, ration.  
 lease or otherwise dispose of the same. Its powers.

2. The persons, named and designated in the preceding Provisional  
 section, shall be the provisional directors of the company, directors.  
 and shall hold office until the directors shall be elected by  
 the first general meeting of shareholders as hereinafter  
 provided by section eight.

3. The objects of the company are :

Objects of the  
company.

1. The acquisition, clearing and improving of wood, Purchase, &c.,  
 mineral, and other lands, in the province of Quebec, and of lands.  
 more especially in that part thereof known by the name  
 of the Eastern Townships, with power to sell, lease or farm  
 the said lands ;

2. To aid, and encourage colonization, agriculture, and Colonization.  
 the various undertakings and works connected therewith ;

3. To promote the establishment of new parishes, to Establishing  
 attract thereto settlers from Europe, the United States or new parishes.  
 the older parishes of the province ; and to direct immigrants  
 to localities already settled ;

4. To make loans and advances on sufficient security to Making loans.  
 the settlers, and to other persons, corporations or associa-  
 tions, when and so often as it shall be deemed beneficial  
 to the main objects of the company so to do.

4. The principal seat of business of the company shall Office of the  
 be the city of Sherbrooke. company.



**Capital stock.** 5. The capital stock of the company shall be two hundred thousand dollars, divided into two classes of one thousand shares of one hundred dollars each.

**Its increase.** The capital stock may be increased, from time to time, on the resolution of a general meeting, by a majority of two thirds of the shareholders, present or represented at such meeting, to the amount of one million of dollars, by issues of new stock to the amount of not less than one hundred thousand dollars each.

**Issue of stock; classes of shares.** 6. Each issue of capital may constitute a distinct class or category of shares, and each such class shall be successively known by a letter of the alphabet; the first issue hereby authorised shall be divided into two classes, forming the classes A and B.

**Conditions of issue.** The Board of directors shall establish, by a by-law, the conditions, under which each class of shares shall be issued, and the special object of its issue.

**Object of issue.** The Funds of each class may be applied to distinct operations; and the result of each operation, shall not be in any way affected by the result of operations concerning other classes of shares.

**Distribution of expenditure.** The board of directors shall distribute, in an equitable manner, the general expenditure of the company, over all the different classes of shares.

**Commencement of operations.** 7. So soon as a sum equal to ten per cent of the capital hereby authorised, that is to say, the sum of twenty thousand dollars shall be paid, to the credit of the company into any bank, the company may exercise all the rights and powers hereby granted.

All sums of money shall be regarded as paid in, under this section, if disbursed in the purchase of any immovable on account of the company.

**Calling of meeting for election of directors.** 8. So soon as the conditions hereinbefore contained, shall be fulfilled, and the company can legally commence its operations, the first general meeting of the shareholders, shall be convened, by a notice published twice in a newspaper published in Sherbrooke; at such general meeting an election by ballot of nine directors will take place to replace the provisional board of directors hereinbefore named and appointed, who however shall be eligible for re-election: the first publication must be made at least ten days before the date of the meeting.

**Renewal of directors.** 9. The directors, thus chosen at the first general meeting, shall be renewed, one third at a time in each year, in the same manner and on the same date, which shall remain in future the day of the general annual election.

The directors to retire the two first years shall be chosen by lot, and afterwards by seniority. They may always be re-elected. Retiry of directors.

In case of vacancy, the board of directors shall appoint others for the remainder of the term. Vacancies.

10. The board of directors shall have the administration of the affairs of the company and may adopt such by-laws it may deem necessary for the successful working and management of the company's business; but such by-laws shall not be valid, until approved at the general annual meeting, or by a general meeting, convened specially as provided by the following section. Power to make by-laws. Approval of shareholders.

11. In addition to the general meeting to be convened every year at the time hereinbefore fixed, there shall be a general meeting of the shareholders, whenever the board of directors shall declare it expedient, by resolution, and such general meeting shall be convened by notice published twice in an english and french newspaper, published in Sherbrooke; the first of which must be published at least ten days before the day fixed for the meeting. Special meetings.

12. In addition to the directors hereinbefore mentioned, the general meeting shall elect by ballot three censors. Appointment of censors.

The censors shall be renewed in the same manner as the directors. Renewal of.

They shall exercise a supervision over the general management of the affairs of the company, and on all the proceedings of the board of directors whose decisions and resolutions shall not be put into force or have effect, until they have received the written approval of the majority of the censors. Their powers.

In the event of a vacancy in the office of a censor, the board of directors shall fill the vacancy for the remainder of the term, subject to the approval of the censor or censors remaining in office. Vacancies.

13. To be appointed a director it will be necessary to own at least five shares in the capital stock of the company. Qualifications of a director.

A censor shall be the owner of at least ten shares. Of censor.

Five directors shall be residents of the eastern townships; the remaining four, and the censors may reside either in the province or abroad. Residence of directors.

The non resident directors unable to attend the meetings of the directors may be represented by one of their resident colleagues, duly appointed by power of attorney.

14. The board of directors shall appoint annually Appointment of officers.

from its members a president and a vice-president; and shall also appoint all officers and assistants required by the by-laws of the company and revoke such appointments of officers and assistants at pleasure.

**Constitution of regular meetings.** **15.** To constitute a regular meeting of the board of directors it is necessary to have the concurrence of five members, of whom at least three must be personally present.

**Proxies may be used.** **16.** At the general annual meeting, or at special meetings, shareholders qualified to vote may be represented, by a proxy being a voter at the meeting.

**Right of voting.** Every shareholder will be entitled to one vote for each share held by him.

**Constitution of meeting of shareholders.** **17.** The meeting will be regularly constituted, when one fourth of the shares, forming the stock then subscribed, are represented.

**Liability of shareholders.** **18.** The liability of shareholders to the company is limited to the amount of their unpaid stock.

**Directors not personally liable.** The directors shall not incur by reason of their management of the business of the company any personal liability whether joint or several by reason of the obligations contracted by the company.

**Power of board to issue bonds.** **19.** The board of directors may create, issue and negotiate debentures or bonds, of one hundred dollars each, to the amount of one half the paid up capital, for each class of shares separately.

**Foreigners may hold office.** **20.** It shall be necessary to be a British subject in order to be a director, censor or employee of the company.

**Transfer of shares, &c.** **21.** Shares are made to order, and cannot be negotiated or transferred by the holder, if he be indebted in any manner to the company.

Shares when fully paid up, may be exchanged for shares to the bearer on the conditions required by the by-laws.

**Act in force.** **22.** This act shall come into force the day of its sanction.

## CAP. LXII.

Act respecting the Mutual Fire Insurance Company of the city of Montreal, and for other purposes.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS the Mutual Fire Insurance Company of the city of Montreal has shown, by petition, that its

business has been greatly extended since the date of its original formation, and that the general provisions of the chapter sixty-eight of the Consolidated Statutes for Lower Canada, under which its operations have been hitherto conducted, are not always applicable to the cases which present themselves, and leave some doubt with regard to the solution of certain difficulties and the settlement of certain claims; and whereas mutual insurance, without being a commercial transaction, may, nevertheless, offer to its members the advantages possessed by insurance companies with fixed premiums, by constituting them at once insured and insurers and by allowing them the entire administration of their affairs; and whereas it is expedient to continue and maintain, but with increased powers, this Insurance Company now existing in the city of Montreal since the year one thousand eight hundred and fifty-nine; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

## FIRST CHAPTER.

### ORGANIZATION OF THE COMPANY.

#### *General Provisions.*

1. The act concerning Mutual Insurance Companies, C. S. L. C., c. chapter 68 of the Consolidated Statutes for Lower Canada, together with its amendments, shall not apply to the Mutual Fire Insurance Company, of the city of Montreal, sections four and thirty-three excepted. C. S. L. C., c. 68, not to apply.

2. The Company shall continue to exist as a corporation and retain its name of "The Mutual Fire Insurance Company of the City of Montreal." Corporation continued.

3. The Company, may acquire an immovable in the city of Montreal, to be occupied by the offices of the company. Power to acquire immovables, &c.

4. The directors may avail themselves of the years in which few fires occur to provide for a reserve fund, at the same time allowing the members a profit on the insurances at fixed premiums, and this appropriation, added to the excess of receipts over expenses, shall form a fund called the Reserve Fund, to the Company's profit solely, the object of which shall be to render the assessments more uniform and to aid the members in less favorable years, in whatever manner the directors may find most advantageous for the interest of the Company. Reserve fund.

Application  
and invest-  
ment of reserve  
fund.

**5.** The Reserve Fund, thus annually accumulated by the Company, together with whatever it may possess at the passing of the present act, shall be devoted to the payment of the losses and expenses of the Company; and this fund shall be invested in one or in several incorporated banks or in the purchase of bonds of the Federal government or of the Provincial government, or of the city of Montreal or of municipalities of the province of Quebec, provided that the balance of the assets of the Company, exclusive of deposit notes shall at no time exceed two hundred and fifty thousand dollars, in addition to the building occupied by the offices of the Company.

Proviso as to  
balance of  
assets.

Who may be-  
come members  
and against  
what losses.

**6.** All proprietors, within the limits of the city of Montreal, may become insured in the Company against losses or damages caused by fire, but not against those caused by invasion or insurrection.

Insurance on  
houses, &c.

**7.** The Company may insure houses and buildings situate in the city of Montreal and the household furniture of the assured, and may also insure two horses and two cows (with their fodder) belonging to a member, as well as the vehicles and harness in ordinary use.

Board of direc-  
tors.

**8.** The board of directors of the company shall consist of nine members chosen by ballot, and there may be allowed a sum not exceeding one thousand dollars per annum, for the remuneration of the directors.

Quorum.

Five directors shall form a quorum of the board.

Annual gene-  
ral meeting.

**9.** There shall be an annual general meeting of the members, at the office of the company, on the second Monday of October of each year or on the following day, if that day is a holiday; and eight days' notice thereof shall be given in two newspapers of the city of Montreal. If, on the day so fixed, the meeting does not take place, the directors shall call one on a day which they shall determine and notice thereof, shall be given by public notice in the manner hereinabove prescribed.

Accounts to be  
submitted.

At this meeting the directors shall render an account of their management during the year just ended.

Election of  
new directors.

The meeting shall then proceed to the election of new directors.

The former directors shall be re-eligible and the election shall be conducted in the manner following:

Method of elec-  
tion.

**10.** By the first ballot, five names shall be omitted from the list of nine directors for the past year, the four others, remaining members of the board for the following year. A second ballot shall then be taken to fill up the places of

the five retiring directors, to complete the number necessary for the formation of the board. The nine directors thus appointed shall continue in office until the next election.

**11** The right to vote is personal. No one shall vote <sup>Who has a right to vote.</sup> by proxy, but corporations may appoint, to represent them, one of their directors, or their secretary, and married women, separate as to property, their husbands, provided in all cases, that the contributions for the proceeding year and other dues have been said.

**12.** The Board shall be at liberty to hold special meet- <sup>Special meet-</sup> ings as often as it may deem it necessary to do so, and <sup>ings of board.</sup> shall keep minutes of its proceedings, and any Director who may differ from the majority of the Board may enter a statement of such dissent, with the motives thereof, in the minute-books; and these books shall be open for the examination of the members.

**13.** The Board shall have the supervision of the affairs <sup>Duties of the</sup> of the Company and the administration of its funds and <sup>board.</sup> property. It shall arrange the rates and the amount to be insured on houses or other property and shall have the appointment of the officers of the Company. Every year the Board shall elect from among its members a President, and a Vice-President. The Board shall have power to <sup>By-laws.</sup> make such by-laws as it may deem useful for the good management of the Company; and such by-laws shall come in force as soon as they are sanctioned at a general meeting of the members.

**14.** The employees of the Company shall consist of <sup>a Employees of</sup> Secretary-Treasurer, an Assistant-Secretary, a Book- <sup>company.</sup> keeper, an Inspector and such other officials as the Board shall consider necessary for the proper management of the affairs,

**15.** The directors shall fix the salaries and specify the <sup>Salaries.</sup> duties of the employees and shall require from them such guarantees as they may deem requisite for the faithful discharge of their several duties.

**16.** In the case of the absence or illness of the President, <sup>Powers of Vice</sup> the Vice-President shall be invested with all his powers; <sup>President.</sup> and in case both should be absent, the Board shall elect a president *pro tempore*.

**17.** The board of Directors or twenty members of the <sup>Special meet-</sup> Company shall be competent to convene a general meet- <sup>ings of share-</sup> holders.

ing, by giving public notice for eight consecutive days in at least, two newspapers of the City of Montreal, or by notices mailed to the address of the members.

**Vacancies.**

**18.** Every vacancy in the Board of Directors shall be filled by a member elected for this purpose by the remaining members of the Board.

## CHAPTER SECOND.

### POLICIES.

**Method of obtaining a policy.**

**19.** Any person making application to have his property insured cannot become a member of this Company, until he shall have placed in the hands of the Secretary-Treasurer, his note (termed *deposit note*) payable on demand to the order of the Company and satisfactorily endorsed, if the Directors demand it; and this note shall be for a sum proportioned to the classification of the risk; and thereon the holder of the policy shall have to pay immediately an amount fixed by the Directors as an entrance premium. The said note is to be payable, in whole or in part, whenever the Directors deem it necessary for the payment of the losses or expenses of the Company.

**Quality of applicant.**

**20.** Any person applying for a policy shall be bound to state in what capacity he makes such an application, and a false declaration in this respect will annul the policy issued

**Building subject to substitution may be insured.**

**21.** Any building subject to substitution may be validly insured with the Company and the deposit note given in such case shall be subject to the same formalities and shall have the same effects and privileges as in ordinary cases; provided that it be signed by the substitute or the curator to the substitution or by the majority of the institutes.

**Privilege upon buildings insured.**

**22.** Every member of the company shall pay his quota of all the losses and expenses incurred by it; and the building insured, together with the land on which it is situated, shall be and remain liable by privilege to this company from the date of the deposit note, for the amount of the latter, instead of the hypothec mentioned in article 2083 of the Civil Code, which shall not apply to insurances effected by the company, and no registration shall be necessary for such privilege.

**Rank of such privilege.**

This privilege shall apply both to the insurance of moveables and immoveables and shall rank after that of the seigniorial rights, mentioned in article 2009 of the Civil Code.

**23.** Whenever properties, affected by the privilege of <sup>Flying claim</sup> the Company shall be advertised to be sold by forced sale, <sup>in certain cases.</sup> the Secretary-Treasurer of the Company or his assistant shall file, within the six days following the sale, in the office of the Prothonotary of the Superior Court or of the assignee, as the case may be, a claim under oath for what is or may become due to the Company, in virtue of the deposit note and of the policy.

**24.** In the case of a transfer of property insured, by sale <sup>Transfer of</sup> or otherwise, the policy given for such property ceases to <sup>property in-</sup> be in force for the insurer, and, in case of accident, no <sup>sured annals</sup> indemnity can be claimed by him in virtue thereof. Nevertheless, the deposit note given for such policy shall continue to be assessable until the expiry of the policy or until the latter has been returned to the Company and the dues then matured have been paid; but no part or portion of the entrance money shall be reimbursed, without a new arrangement between the company and the new proprietor.

**25.** When a party insured, in selling his immovable <sup>If insurance</sup> property, transfers his insurance policy to the purchaser, <sup>policy is trans-</sup> the benefit of the balance of the entrance premium, <sup>ferred when</sup> provided all dues have been paid, goes to the latter, if he is <sup>property is</sup> accepted by the Company. On the contrary, should the <sup>sold.</sup> company refuse to continue the policy with the new proprietor, the balance of the premium shall be paid to him; but should there be no transfer of the policy to the purchaser, the balance of the premium will remain the property of the company.

**26.** The acceptance by the company of the transfer of a <sup>Effect of ac-</sup> policy for collateral security, does not give to the mortgage <sup>ceptance of</sup> creditor more rights than the insurer had, in case of <sup>transfer, &c.</sup> accident; but the Board of Directors may guarantee the said mortgage creditor against forfeiture, on such conditions as they may think proper.

**27.** Any person, applying for insurance who cannot <sup>Documents</sup> write, may sign the application, deposit note, or any other <sup>may be signed</sup> document necessary to be signed by him, with his mark, <sup>with mark.</sup> in the presence of one witness, after such application, deposit note, or other document has been read to him; and it shall be competent for any officer of the insurance company to become such attesting witness, and such signature <sup>Attesting wit-</sup> by a mark, made in the presence of a competent witness, <sup>ness.</sup> shall have the same effect in a court of justice as a signature made in the hand-writing of a person able <sup>Proof of such</sup> to write, and the denial thereof shall be subject to the <sup>signature.</sup> provisions of article, 145 of the Code of Civil procedure;



and the production of such signature, attested by a witness, shall be *prima facie* evidence, that the application, deposit note or other document has been signed in the manner herein required in presence of a competent witness, unless the contrary be proved.

Other insur-  
ances forbid-  
den, without  
leave of board.

**28.** If, at the date of such application, there exists an insurance which is not declared, or if another insurance is effected upon the property insured by the company, without the express permission of the company, written upon the application or the policy of the insured, signed by the insured and the secretary-treasurer, the company's insurance shall become void, and, in the event of loss, the insured shall not be entitled to claim any indemnity nor will any be allowed him.

Increase of  
risk.

**29.** Whenever a building or furniture, insured by the company, shall have become exposed to a greater risk than that which existed when the insurance was effected, and this happens through the act of the proprietor, his tenants or neighbours, and no notice of it has been given to the board and no new agreements made with the Company, the policy shall become void.

Return of  
deposit note in  
certain cases.

**30.** When a policy shall have expired or have been annulled by the board for any reason whatever, and when the insurer shall have paid his dues to the company, his deposit note shall be returned to him; but in no case shall such a policy-holder have the right to ask or claim any share in the reserve fund, according to the provisions of section 4.

Additions to  
policy.

**31.** It shall be lawful to add to the policies issued by this company, one or more additional amounts or to make retrenchments during the continuance of the policy; and, in making such additions or such retrenchments, the policy-holder must give a new deposit note, or pay a premium for extra risk, as he may be required by the board.

Duration of  
policy.

**32.** The policies issued by the Company shall be for three full years, commencing at noon on the day of their respective dates and ending at noon on the day of the expiry of the three years; and whosoever, at any time, shall become a member, by effecting insurances, shall continue to be so during the time mentioned in his policy, unless the latter be cancelled.

## CHAPTER THIRD.

## PAYMENT OF DAMAGES.

**33.** When a property, insured by the company, has been destroyed or damaged by fire, the insured shall immediately notify the company thereof, and, in default of such notification by the insurer or his representatives, in the eight days following the disaster, the insurer shall forfeit all his rights to indemnity, unless he be prevented from doing so by some sufficient reason, and any injury caused to the building damaged by the fire, between the date of the fire and the end of the above-mentioned interval, which might augment the loss of the insurer, according to the estimate made of it, shall be charged to the insured, except in the case of another fire. Proceedings in case of loss by fire.

**34.** The insured is bound to furnish, as soon as possible, his claim containing a statement of the damage done or the list of objects burned, damaged, saved, destroyed or missing during the fire, with the estimate of the amount of the damage at the time of the accident; and this claim must be sworn to before a justice of the peace. Claim to be filed.

**35.** Any one insured who, in bad faith, shall have declared to be destroyed, objects which he knew to have had no existence at the time of the fire, or shall make a claim based on an exorbitant valuation, shall forfeit all right to an indemnity. Claim made in bad faith to forfeit rights to indemnity.

**36.** If the parties cannot agree as to the loss sustained, two competent persons shall be chosen, as soon as possible, to act as arbitrators, one of whom shall be named by the insured, the other by the company; and these two arbitrators before or during the arbitration, may, if they deem it necessary, name a third to act jointly with them. And if the two arbitrators cannot agree on the choice of such third the latter shall be appointed by a judge of the Superior Court on the application of one of the parties, notice having been given to the other party at least two days previously. These arbitrators shall be sworn before a justice of the peace or a commissioner for receiving affidavits, and their report, or that of the majority of them, shall be reduced to writing in duplicate, and, having been placed in the hands of the parties interested, shall be final and without appeal. Arbitration in certain cases.

**37.** In case the insured refuses to appoint an arbitrator or when the insured is absent from the province and has not made known to the company the name of his attorney, If insured is absent, &c.

the latter, after a delay of not less than eight days from the date of the fire, shall apply to a judge of the Superior Court to have an arbitrator appointed for the insured.

Proceedings of arbitrators.

**38.** The arbitrators may, at the appointed time and place, proceed to the examination of the witnesses who shall be then and there produced before them; and, if they deem it necessary, or if one of the parties concerned requires it, they may interrogate the claimant or the directors or officers of the company or any one of them, after such witnesses have been sworn; the arbitrators being themselves authorized to administer the oath.

Basis of valuation by arbitrators.

**39.** The valuation to be made by the said arbitrators shall be based on the value of the portion of the property burned, not on the expenses of reconstruction.

Delay for payment.

**40.** The Company shall have sixty days, from the date of the award, to pay the amount allowed; and the costs of the arbitration shall be borne equally by the Company and the insured.

What excluded from estimate of damage.

**41.** The Company cannot be obliged to pay any compensation or indemnity to the insured for loss of rent or for the time that he may be deprived of his property, in case of fire, unless a special agreement to that effect be entered in the policy.

Retention of certain amount to cover future assessments.

**42.** When the greater portion of the property of an insured has been destroyed by fire, the company may retain, from the payment of damages allowed an amount sufficient, to guarantee the payment of the assessments which may become due until the expiry of the policy.

Company may pay or repair, &c.

**43.** After the estimate of the damages caused by fire to the property insured, it shall be lawful for the Company to pay the sum allowed by the arbitrators, to replace the objects damaged or destroyed by fire, or to repair or reconstruct the buildings that have been burned, according to the report of experts, with all possible diligence.

Arbitration does not bar company's rights.

**44.** The fact of arbitration shall not constitute a renunciation on the part of the company of its right of invoking any cause of forfeiture of which it may become aware, after the appointment of the arbitrators.

## CHAPTER FOURTH.

### ASSESSMENTS.

Annual assessment.

**45.** So soon as possible after the first of October in each year there shall be a meeting of the Directors

of the Company, at which meeting the Secretary-Treasurer shall present his report and submit a statement of the receipts and expenses of the year just expired, as well as the amount of notes assessable. At such meeting the Directors shall fix the annual assessment on the deposit notes, in force at the date mentioned in the statement submitted by the Secretary, to meet the actual or even probable annual expenses and losses of the company; and such declared assessment shall be published in the manner prescribed by the by-laws.

**46.** The Directors shall cause to be published, in at least one English and one French two newspapers of the city of Montreal, and by means of a circular mailed to each shareholder, a notice of the total amount of assessments imposed by them on the deposit notes, whenever such assessment shall take place. Notice of assessment.

**47.** Apart from the annual assessment, the directors of the company may, during the year and whenever they deem it necessary, impose other assessments, to be payable at the time and in the manner fixed by the directors in the notice which they shall publish to that effect, and this notice shall be given in the same manner as the notice for the annual assessment. Other assessments.

**48.** But, in order that, as far as possible, there may be only one single assessment in the year, the directors are authorized, in case of loss or to cover unforeseen expenses, to effect loans as they may be deemed necessary; and the interest on such loans shall be entered in the following assessment, and the deposit notes in the hands of the secretary may be pledged in favor of the lenders, for the payment of such loans, with the interest thereon. Directors may borrow funds when necessary.

**49.** In case the amount of the assessment on all the notes assessable should be insufficient, even with the reserve fund, to pay the losses sustained by the persons burned out, then the directors shall fix, in favor of the assured, a *pro rata* dividend proportional to the total amount received on the deposit notes and to the loss sustained by each policy holder. Insufficiency of deposit notice.

**50.** But in no case shall the insured, during the continuance of the policy, be obliged to pay, whether for one or several assessments, more than the entire amount of his deposit note. And, after having paid his share of assessment, or other dues, the insured shall return his policy to the secretary, who shall remit him his deposit note and annul such policy in the books of the company. Limit of assessments to be paid by policyholder.

**Members in arrears may be sued and when.** **51.** Thirty days after the date of the first public notice in the newspapers, the directors may sue such members as have not paid their assessments.

**Rights forfeited and how.** **52.** Any member of this company, who shall fail to pay the said assessments at the time fixed, shall forfeit the right of recovering anything from the company in case of accident; nevertheless the said insured shall be obliged to pay his share of the assessments until the expiry of his policy, as well as all other membership dues.

**Policy may be cancelled.** **53.** The Board may, whenever it deems necessary, cancel a policy and shall give notice thereof to the insured, by means of a registered letter addressed to the insured or to his attorney; and any balance coming to such party insured on his premium shall be returned to him, after all his dues have been paid.

**Domicile of policy-holders.** **54.** The last choice of residence, notified by a policy-holder to the company and which shall have been entered in the index of the names and residences of the insured of this company, shall be considered as his domicile or that of his attorney, and any notification mailed to such address, shall be sufficient to place the policy-holder in default.

**Dissolution of the company.** **55.** In case events should occur which would induce the Board of Directors to believe that it was for the interest of the members of the Company that it should be dissolved, the said Board may call a special general meeting of the members for the purpose of considering such dissolution; and this meeting shall be convened in the manner hereinabove provided for the annual assessments; and moreover, by addressing, through the post, to each members, a circular notifying him of the hour, the day and the place of such meeting, as well as the object thereof; and if, at that meeting, thus convened, there be present at least forty members, a resolution, declaring the Company dissolved, shall be considered as expressing the wish of the entire Company and involve its dissolution; provided that such resolution be approved by at least two-thirds of the members there and then present; and, after the adoption of this resolution in the manner aforesaid, the provisions of the third chapter of the eleventh title of the first book of the Civil Code shall apply to the Company.

**Proviso.**

**Act continues present company.** **56.** The present Act shall not have the effect of constituting a new Company, but shall merely continue and maintain the one which exists in the city of Montreal under the name given in Section two hereinabove, as also all policies, applications for insurance, deposit notes,

assessments, insurances, by-laws, officers, directors, members, properties, rights, privileges and prerogatives now in existence in the said Company or thereto belonging.

57. This act shall come in force the day of its sanction. Act in force.

### SCHEDULE A.

The Mutual Fire Insurance Company of the City of Montreal.

Established in 1859, under the authority of Chapter 68 of the Consolidated Statutes for Lower Canada.

Special charter by the Legislature of Quebec 44-45 Victoria, Chapter 62.

No.

This Policy certifies that A. B. of the City of Montreal, has become a member of the Mutual Fire Insurance Company of the City of Montreal, and is insured with the said Company for the sum of..... currency, on the following property : ..... (referring to the application of the said A. B. and to the plan annexed thereto,—for a more circumstantial description : and as forming part of this Policy) for the period of three years to be counted from the date hereof.

Furthermore this Policy certifies that the said A. B. has deposited with the said Company his note, for the sum of ....., and that he has paid to the Company the sum of ....., as entrance premium on this Policy, and that considering the above the said A. B. has acquired the right to enjoy all the advantages and has become liable to all the charges and obligations to which all persons insured with this Company have a right and are liable to in virtue of the laws of this Province.

In witness whereof the President of the said Company hath signed, in duplicate, this Policy, which has been countersigned by the Secretary, in the City of Montreal, in the Province of Quebec, this..... day of..... one thousand eight hundred and.....

R. A. B. H., President.

A. D., Secretary.

### SCHEDULE B.

No.

Application for insurance against fire by A. B. of the City of Montreal, with the Mutual Fire Insurance Com-

pany of the City of Montreal, for the sum of..... dollars,  
 subject to the by-laws of the said Company, viz :—on a  
 house..... Amount. Rate. Value, (the ground excluded.)  
 Remarks.

Shed.

Stable.

Coachhouse.

Furniture, clothes and linen, &c.

Cattle, carriages, &c.

Amount insured.

Deposit Note.

Entrance premium.

Designation, occupation and situation of buildings.

Declare the true proprietor or proprietors.

Montreal,

18

### SCHEDULE C.

Montreal,

18

\$

On demand, for value received by Policy No.  
 dated the..... day of..... 18 , issued by the Mutual  
 Fire Insurance Company of the city of Montreal, I pro-  
 mise to pay to the order of the said Company, at its office  
 in Montreal, the sum of..... dollars, according to the  
 assessments fixed for the losses and expenses of the said  
 Company.

### SCHEDULE D.

Office of the Mutual Fire Insurance Company of the  
 City of Montreal.

No.

Amount insured \$

Deposit note \$

Entrance premium \$

These presents certify that A. B. has remitted to-day to  
 the Company his note for the sum of \$..... bearing  
 No. and that he has paid the sum of \$..... as  
 entrance premium on the Insurance effected with the  
 Company to the amount of \$..... for three years to be  
 counted from the date hereof, upon a property described  
 in his application dated this day and which is to be com-  
 pleted by a Policy.

Montreal,

18

A. D., Secretary.

## CAP. LXIII.

An Act to incorporate The Silver Plume Mining Company.

[Assented to 30th June, 1881.]

**W**HEREAS, the persons hereinafter mentioned have, by Preamble.  
 their petition, represented that they are desirous of  
 associating themselves together, for the purpose of carry-  
 ing on mining operations in the province of Quebec,  
 and that they can do so to better advantage by the  
 aid of a charter of incorporation; and whereas the said  
 persons, with others, have been provisionally constituted as  
 a joint stock company, under articles 1889 and 1865 of the  
 Civil Code of Lower Canada; whereas, at an annual general  
 meeting of the said company, held on the seventh day of  
 June, one thousand eight hundred and eighty, it was  
 resolved to apply for this act of incorporation; and whereas  
 a petition has been presented praying for such incor-  
 poration, and it is expedient to grant the prayer of the  
 said petition: Therefore, Her Majesty, by and with the  
 advice and consent of the Legislature of Quebec, enacts  
 as follows;

1. Pierre Achille Adelard Dorion, François Xavier Wil-P persons  
 brod Dorion, Mona M. Lesser, Théodore Doucet and incorporated  
 Adolphe Masson, together with all other persons who  
 shall become shareholders in the company to be hereby  
 incorporated, shall be and are hereby constituted a body  
 corporate and politic by the name of the "Silver Plume  
 Mining Company" (hereinafter called the company). Name of corporation.

2. The company may work the mines that it possesses or General  
 may acquire, and for such purpose, may acquire, construct Powers.  
 and keep in repair buildings and mills, and may perform  
 and carry on every description of work useful and necessary  
 for the working of the said mines, in such manner as the  
 company may deem expedient and advantageous, and  
 generally may exercise all powers usually deemed to be  
 vested in mining companies.

3. The capital stock of the company shall be one million Capital stock  
 dollars, divided into ten thousand shares of one hundred of company  
 dollars each, which shall continue to be represented by and how  
 the certificates issued by the said joint stock company, represented.  
 signed by the secretary and president and transferred to a  
 trustee, as specified in the said certificates, which shall  
 have force and effect as if they had been issued by the  
 company. Provided that nothing in this Act contained Provided.  
 shall affect the legal rights of any of the holders of any



certificates of stock now existing, until such certificates are surrendered and others accepted in lieu thereof, under this Act; and the holders of such existing certificates not surrendered may exercise their legal remedies against all parties liable, as if this Act had not been passed.

Method of  
raising money  
to work mines.

4. The company may raise the moneys necessary for the working of the said mines, either by disposing of the reserve fund, or by levying an assessment on the shares of shareholders, except upon the shares for which paid-up scrip has been issued, which assessment shall not, in any case, exceed five per cent of the capital stock of the company, in such manner as the directors of the company may decide, or as may be prescribed by the by-laws; and in the event of non-payment of the said assessment, interest at the rate of six per cent per annum shall be payable from the day fixed for such payment upon the amount due and unpaid; and in every case in which an instalment or instalments are not paid in the manner prescribed by the directors, with interest, after such demand and notice as may be prescribed by the by-laws, and within the delay specified in such notice, the directors may, by a resolution setting forth the facts and duly entered of record in their minutes, summarily declare the shares, in respect whereof such payment has not been made, forfeited, and the same shall thence-forward appertain to the company; and after notice of such forfeiture inserted in two newspapers published in the city of Montreal, the certificates representing such shares shall become and be null and void, and the company may dispose of such forfeited shares in such manner as the company may by by-law or resolution prescribe.

Shares personal property  
and trans-  
ferable.

5. The shares in the capital stock of the company shall be deemed to be personal estate, and shall be transferable in such manner only and subject to such conditions and restrictions, as may be prescribed by the by-laws.

Shareholders'  
right to vote.

6. At all meetings of the company, each shareholder shall be entitled to as many votes as he holds shares in the capital stock of the company, and votes may be given either in person or by proxy, provided the proxy is in conformity with the by-laws and is held by a shareholder not in arrears.

Management  
of affairs of  
company.

7. The affairs of the company shall be managed by a board of five directors, shareholders of the company, who shall be elected at the first general meeting, and subsequently at each annual meeting of the company, and shall remain in office until the election of their successors; the directors shall be eligible for re-election if they are other-

wise qualified, and the presence of three members of the board shall constitute a quorum; and, in the event of the Quorum. death, resignation, dismissal or inability to act, of a director, the board may, if it shall deem it advisable so to do, fill the Vacancy. vacancy until the next annual meeting of the company, by the appointment of a qualified shareholder; but a failure to Failure to elect directors, or the fact that there are no directors, shall not dissolve the company, and a general election may be held at any general meeting called for the purpose: Pro- Proviso. vided always, that no voting by proxy shall be allowed at any meeting of the board of directors.

8. The board of directors shall have power in all things Powers of board of directors. to administer the affairs of the company, to make or cause to be made any purchase, and to enter into any description of contract which the company may lawfully make or enter into, to adopt a common seal and, from time to time, to make by-laws not contrary to law nor to the resolutions of the company; to regulate the making of calls to an amount not exceeding five per cent, the issue and registration of the certificates of shares hereinbefore mentioned, the forfeiture of shares for non-payment of assessments, the disposal of forfeited stock and the proceeds thereof, the declaration and payment of dividends, the appointment of a trustee and of officers, the functions, duties and removal of all agents, officers or servants of the company, the security to be given by them to the company, their remuneration and that of the directors, the time at which and the place where the annual and other meetings of the company shall be held in the Province of Quebec, the calling of meetings of the company or of the board of directors, the quorum, the requirements as to proxies, and the procedure in all things at such meetings, the place at which the head office or any other office, it may be necessary to have, shall be situated, the imposition and recovery of all penalties and forfeitures admitting of regulation by by-law, and the conduct, in all other particulars, of the affairs of the Proviso. company; but every such by-law and every repeal or amendment thereof shall only have force until the next Confirmation of by-laws. following annual general meeting of the company, unless confirmed at a general annual meeting of the company; and any copy of a by-law, bearing the seal of the company, shall be *prima facie* evidence of such by-law before all courts whatsoever.

9. Until the first election of the board of directors, the Provisional board. said Pierre Achille Adelard Dorion, François Xavier Wilbrod Dorion, Mona M. Lesser, Theodore Doncet, and Adolphe Masson shall constitute the provisional board of directors of the company, with power to fill vacancies, to call

the first general meeting of the company, within six months from the passing of the present act, and the said notice shall be published during eight days in one English and in one French newspaper, at such time and place, in the city of Montreal, as they may determine, and to do all things necessary or useful for the organization of the company and for the management of its affairs.

Chief office of corporation. **10.** The principal place of business of the company shall be in the city of Montreal.

Company not bound to see to execution of trusts. **11.** The company shall not be bound to see to the execution of any trust, whether expressed, implied or constructive, in respect of any share; and the receipt of the person, in whose name any share stands in the books of the company, shall be a sufficient discharge to the company for all dividends and for any money paid in respect of such shares, whether or not the company shall have had notice of such trust; and the company shall not be bound to see to the application of the money paid upon such receipt.

Shareholders not liable above amount of unpaid shares. **12.** The shareholders of the company shall not, as such, be held responsible for any default or liability whatsoever of the company, or for any engagement, claim, payment, loss, injury, transaction or matter connected with the company, beyond the amount levied and unpaid on the shares of the capital stock of the company. Provided always that this act shall in no manner affect the rights or actions which any person has or might have to exercise in law, against the company or its members for any thing anterior to the present act of incorporation.

Proviso.

Officers bind company. **13.** All contracts, promissory notes, bills of exchange and engagements made and entered into, in the name of the company, by the directors, officers, agents or servants of the company, in accordance with the powers conferred upon them by the by-laws of the company or by resolution, shall be binding on the company, and in no case shall it be necessary to have the seal of the company thereto affixed, nor shall the directors, officers, agents or servants of the company be thereby subjected individually to any liability to any third party therefor; provided always, that the company shall not issue any note intended to be circulated as money or as the notes of a bank.

Seal not necessary.

Directors not personally liable. Proviso.

## CAP. LXIV.

An Act to Incorporate "The Manufacturing and Agricultural Company of Rivière du Loup."

[Assented to 30th June, 1881.]

**W**HEREAS the persons mentioned in the present act Preamble.  
have, by petition, prayed for the incorporation of a company for the purpose of acquiring and settling waste lands in the valley of the Rivière du Loup, and of establishing mills and factories in order to utilize the natural products and the agricultural products of the said lands ;

Whereas the colonization and the settling of such lands offer great advantages and tend to the development of trade and the prosperity of the Province of Quebec ;

And whereas it is expedient to grant the prayer contained in the said petition :

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows ;

1. Ls. Henri Mineau, Edouard Caron, R. Lambert, Persons  
Pierre Béland, L. A. Baribeau, A. L. Augé, and all other incorporated.  
persons who are or shall hereafter become shareholders, shall be a body politic and corporate under the name of "The Manufacturing and Agricultural Company of Name.  
Rivière du Loup."

2. The said company may acquire, improve, alienate Power of  
and sell, exchange, lease or transfer cultivated or wild company to  
lands, mills and factories in the Province of Quebec and acquire lands,  
more specially in the valley of the Rivière du Loup and &c.  
its tributaries, in the counties of Berthier, Maskinongé and St. Maurice.

2. For that purpose, it shall be lawful for the company Powers for that  
or its agents to survey, settle and occupy the lands, tene- purpose.  
ments or hereditaments which the government of this province, municipalities, corporations or individuals whosoever they may be, may, in any way, grant, or which it may buy or lease in the above named locality or elsewhere, and in and upon such lands, it shall be lawful for the company to make, and construct carriage roads and winter roads.

3. The company is authorized to lay out, build and Company may  
complete an iron or wooden railway, from any point on build railway.  
the line of the Quebec, Montreal, Ottawa and Occidental Railway on the River St. Lawrence, between Louiseville and Maskinongé to any point on the river Matawin ; and the gauge of the track shall be determined by the directors, Gauge.

and the company may also construct telegraph lines for the use of the said road.

Quebec  
Consolidated  
Railway Act,  
1880, to apply.

4. The company shall be subject to the provisions of the Quebec Consolidated Railway Act, 1880.

Branches may  
be built.

5. Notwithstanding any provisions to the contrary contained in the Quebec Consolidated Railway Act, 1880, and particularly in sub-sections 16 and 17 of section 7 of the said act, the company may construct and work branch lines, of twenty-five miles in length each, and, for such purpose, it shall have all the powers, rights and privileges conferred upon it for the construction and working of its main-line.

Power to build  
dwellings, &c.,  
necessary for  
works of  
company.

6. The company shall moreover have the right to build dwelling houses, schools, chapels, mills, stations, warehouses and wharves, and complete all other buildings and works suitable or necessary for the working of its property, to acquire, manufacture and transport all merchandize, goods and things which may be suitable to its working, as well as the products of the forest and mines, or agricultural produce and other articles whether in a raw or manufactured state, or extracted from the soil or the waters of its property, or which may be transferred or consigned to it, or which it may have received in payment of any rent or as the purchase price of the said lands, and to acquire, lease or build boats or barges or other vessels to carry persons wishing to settle upon such or other lands and the produce which they may bring therefrom.

Capital stock  
of company.

7. The capital stock of the company shall consist of two hundred thousand dollars, and may be increased to a million of dollars; which said capital stock shall be divided into twenty thousand shares of ten dollars each, and shall be taken up by the above named persons, and such other persons or corporations who may hereafter become shareholders, and the monies so collected shall be devoted, firstly, to the payment of all the fees and disbursements incurred for the passing of the present act, and the remainder shall be employed in the manner provided for by section 2; provided always that, until the preliminary expenses have been paid out of the capital stock of the company, it shall be lawful for the corporation of any county, town or township, or parish, interested in the works of the company, to pay, out of the general funds of such corporation, the above mentioned preliminary expenses, which shall be reimbursed to the corporation by the company.

Proviso.

8. Edouard Caron, François L. Desaulniers, George Caron, L. H. Mineau, L. A. Baribeau, Emile Dumais and Pierre Béland are, by the present act, constituted and appointed the first board of directors of the company, and three of them shall be a quorum for the transaction of business.

9. The said directors are authorized to take all the necessary steps to open stock books, and to receive subscriptions of persons desirous of becoming shareholders of such company.

10. Any manufacturing or other corporation in the Province of Quebec, and any municipal corporation, may subscribe, or acquire by any others means and hold any number of shares in the capital stock of the company and dispose of them as they may deem proper.

11. When and so soon as one tenth part of the capital stock shall have been subscribed and one tenth of the subscribed stock shall have been paid up, the directors, or three of them, may call a meeting of the shareholders, in the town of Louiseville, the head office of the said Company, by giving at least fifteen days' notice in one or more newspapers published at Louiseville, or in the district of Three-Rivers, at which general meeting and at the subsequent annual general meetings the shareholders present, either in person or by proxy, shall elect seven directors, which seven directors shall compose the board of management and shall remain in office until their successors are elected.

12. Three directors shall form a quorum for the transaction of business, and no shareholder shall be elected a director unless he holds at least fifty shares in the capital stock of the company, and unless he has paid all the instalments due upon the said shares.

13. All deeds and transfers of land to the said company may be drawn up according to the form of schedule A, or according to any other form of the same tenor, and, in order that they may be duly registered, all the registrars, in their respective counties shall be provided, by and at the cost of the company, with books containing blanks of the form given in schedule A, with one printed upon every page, having the necessary blanks for each transfer; and on production of such deeds and proof of their execution, the registrars shall enter and register them in such book and shall make a note of such entry on the deeds, exacting for all costs of such registration fifty cents.

## SCHEDULE A.

Know all men by these presents that I, A. B., of  
in consideration of the sum of  
to me paid by the  
“ Manufacturing and Agricultural Company of Rivière du  
Loup,” which I acknowledge to have received, do sell  
and transfer and make over to the said Manufacturing and  
Agricultural Company of Rivière du Loup, for ever, all  
that certain lot of land situate

which has been selected by  
the company for the purpose of

the said lot of land and dependencies to be by the said  
company its successors and assigns for ever, held and  
possessed (special clause barring dower if any there be.)

In faith and testimony whereof, I have hereunto set my  
hand and seal this                      day of                      , 18

Signed, sealed and delivered }  
in presence of

A. B.

## CAP. LXV.

An Act to amend the act, passed in the forty-first year  
of Her Majesty's reign, chapter fifty-four, intituled :  
“ An Act to incorporate the Orford Nickel and Copper  
Company.”

[Assented to 30th June, 1881.]

## Preamble.

WHEREAS the Orford Nickel and Copper Company, a  
body politic and corporate, have, by their petition,  
represented that from their increase of business in mining,  
refining and smelting copper ore, it has become necessary  
to give power to their shareholders to increase their capital  
stock, and to acquire and hold a larger quantity of land than  
is mentioned in their charter, and it is expedient to grant  
the prayer of their petition ; Therefore, Her Majesty, by and  
with the advice and consent of the Legislature of Quebec,  
enacts as follows :

Increase of  
capital stock.

1. The capital stock of the said Company may be, from  
time to time, increased, as the wants of the Company  
require, by vote of three fourths of the shareholders in  
amount, at a meeting of the Company called for the pur-  
pose, to an amount not exceeding three millions of dol-

bars; provided always that no such increase of stock shall be made until after the whole amount of the stock, provided by their act of incorporation, shall have been *bona fide* paid up.

2. The said Company may, for the purposes of their business, acquire and hold by purchase, lease or other legal title, lands and mining rights in lands in this Province and elsewhere, not exceeding, at any time, twenty thousand acres in superficies. Company may purchase lands and mining rights.

3. This Act shall come into force on the day of its sanction. Act in force.

## CAP. LXVI.

An Act to incorporate the "Montreal Fibre Company."

[Assented to 30th June, 1881]

**W**HEREAS the persons hereinafter named propose to establish a Joint Stock Company to be called the: "Montreal Fibre Company," and have petitioned for an act of incorporation; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows: Preamble.

1. A corporation is created and constituted, to be known as and called the "Montreal Fibre Company." Constitution of company and name.

2. The capital stock of the Company is fifty thousand dollars, divided into five hundred shares of one hundred dollars each, but it may be increased, from time to time, by resolution adopted by the board of directors, with the written consent of the stockholders holding at least three-fifths of the entire capital stock, for the time being, to an amount not to exceed in the aggregate five hundred thousand dollars. Capital stock.

3. The seat or chief office of the Company is in the city of Montreal. Head-office.

4. The objects for which the Company is established are: Objects of company.

a. To purchase, prepare, manufacture and deal in vegetable fibrous substances, and to sell and deal in articles and materials manufactured from or composed wholly or in part of such vegetable fibrous substances, and to carry on generally the trade or business of manufacturing and dealing in such articles and materials; Purchase &c. fibrous matter, &c.



Purchase, &c.,  
certain  
patents, &c.

b. To purchase or otherwise acquire any patents, patent rights and privileges, and improved or secret processes for, or in any way relating to the manufacture of articles and materials from vegetable fibrous substances, and to do all things that may be deemed expedient to obtain the full benefit of the patents, patent rights and privileges, and improved or secret processes which may be acquired, with power to grant licenses thereunder or sell, or otherwise deal therewith ;

Acquire, &c.,  
real property.

c. To purchase, take, or lease, or in exchange, or otherwise acquire such real estate as may be necessary for the purposes of the Company, at any place or places in the Province of Quebec, or in any place or places elsewhere, where the local law allows foreign corporations to hold real estate, and to construct, maintain or alter any buildings or works necessary or convenient for such purposes ;

Accept, &c.,  
stock in  
companies.

d. To accept, take and hold, and, from time to time, sell shares or stock in any company, society or undertaking of which the objects are, either in whole or in part, similar to those of the company, or such as may be likely to promote or advance its interest.

Board of  
directors.

5. The affairs of the Company are managed by a board of five directors, subject, however, to the number being increased or diminished, from time to time, by resolution of the board. The directors of the Company are not required to be persons resident in Canada or subjects of Her Majesty.

Agencies may  
be established.

6. The Company may establish agencies in the Dominions of Canada or elsewhere, and may regulate and discontinue the same.

31 Vict. c 24,  
to apply.

7. The Joint Stock Companies General Clauses Act applies to the Company, except in so far as the same may be inconsistent with the provisions of this act.

First directors.

8. Jas. Pierrepont Church, of the city of New York, and the Honorable Henry Starnes, Jonathan S. C. Würtele, Q.C., Désiré Girouard, Q.C., and George F. C. Smith, all of the city of Montreal, shall be the first directors of the Company.

Commence-  
ment of  
operations.

As soon as the capital stock of fifty thousand dollars has been subscribed and ten per cent. thereon has been paid up, the Company may commence operations.

Act in force.

9. This Act shall come into force on the day of its sanction.

## CAP. LXVII.

An Act to incorporate the "Montreal Distilling Company."

[Assented to 30th June, 1881.]

**W**HEREAS the persons hereinafter named propose to Preamble.  
 establish a joint stock company, to be called the  
 "Montreal Distilling Company," and have petitioned for  
 an act of incorporation, and it is expedient to grant their  
 prayer : Therefore, Her Majesty, by and with the advice  
 and consent of the Legislature of Quebec, enacts as follows :

1. A corporation is created and constituted, to be known Company  
 as and called the : "Montreal Distilling Company." constituted  
and name.

2. The capital stock of the company shall be two hundred Capital stock.  
 and fifty thousand dollars, divided into two thousand five  
 hundred shares of one hundred dollars each, but it may be  
 increased, from time to time, by resolution adopted at a  
 general meeting, to an amount not to exceed, in the  
 aggregate, one million dollars.

3. The seat or chief office of the company shall be in Head-office.  
 the city of Montreal.

4. The objects for which the company is established Objects of  
company.  
 are :

a. To carry on the trade or business of distilling ; Distilling.

b. To purchase, take or lease, or in exchange or otherwise Purchase real  
estate, &c.  
 acquire such real estate as may be necessary for the  
 purposes of the company, at any place or places in the  
 province of Quebec, and to construct, maintain or alter any  
 buildings necessary or convenient for such purposes, and  
 to purchase or otherwise acquire such stills, worms, recti-  
 fying or other apparatus, engines, boilers and other arti-  
 cles, utensils, plant and machinery as may be required in  
 connection with such works ;

c. To purchase grain, malt and other produce and to sell Purchase  
grain, &c.  
 and deal with the spirits, liquor, wash and commodities  
 produced or obtained by the process of distilling ;

d. To do all such things as are incidental to the business Other inciden-  
tal matters.  
 of distilling or conducive to the attainment of any of the  
 above objects.

5. The affairs of the company shall be managed by a Board of  
 board of five directors, subject, however, to the number directors.

being increased or diminished, from time to time, by by-law.

Agencies may  
be established.

6. The company may establish agencies in the Dominion of Canada and elsewhere, and may regulate and discontinue the same.

31 Vic. c. 24  
to apply.

7. The Joint Stock Companies General Clauses Act shall apply to the company, except in so far as it may be inconsistent with the provisions of this act.

First board of  
directors.

8. The Honorable John Hamilton, George W. Hamilton, Gilbert Scott, Jacob Henry Joseph, the Honorable Henry Starnes and Jonathan S. C. Würtele, all of the city of Montreal, shall be the first directors of the company.

Commence-  
ment of  
operations.

As soon as the capital stock of two hundred and fifty thousand dollars has been subscribed and ten per cent thereon has been paid up, the company may commence operations.

### C A P. L X V I I I.

An Act to incorporate the Montreal Board of Real Estate Agents.

[Assented to 30th June, 1881.]

Preamble.

WHEREAS Henry H. Geddes, François X. Cochue, William A. Curry, Joseph L. Barré, C. G. Jones, George B. Muir, Thomas Atkinson, George M. Millar, Louis Plamondon, George W. Parent, T. P. Powell, W. L. Maltby and others, all of the city of Montreal, have petitioned for the incorporation of the "Montreal Board of Real Estate Agents," and it is expedient to grant their prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec enacts, as follows.

Persons  
incorporated.

1. The aforesaid persons and all those who may hereafter become associated with them are constituted a body politic and corporate by the name of the "Montreal Board of Real Estate Agents."

Name of  
corporation.

Objects of  
corporation.

2. The objects of the corporation are : to promote a good understanding amongst its members and to insure, as far as practicable, uniformity in their dealing with each other and the public ; to assist in creating and maintaining a healthy tone in the real estate market, by affording accurate information regarding current transactions, and the more advantageous negotiation of real estate.

3. The persons hereinafter mentioned shall form the <sup>First council or board of directors.</sup> council or board of directors for the first year of the existence of the corporation: Henry H. Geddes, F. X. Cochue, Wm. A. Curry, J. L. Barré, C. G. Jones, G. B. Muir and Thomas Atkinson.

4. The corporation shall have the right to acquire, possess <sup>General powers of corporation.</sup> and hold real estate to the amount in value of fifty thousand dollars, for their own use, and to sell, exchange or hypothecate the same.

5. The members of the corporation shall alone, have the <sup>Distinctive title.</sup> right and be entitled to use the designation of "Member of the Montreal Board of Real Estate Agents"; and any <sup>Penalty for using same when not a member.</sup> infringement of this right shall subject the offender to a penalty of one hundred dollars, to be recovered by the corporation, for its sole benefit.

## C A P . L X I X .

An Act to incorporate the "Canadian Electric Light Company."

[Assented to 30th June, 1881.]

**W**HEREAS the present and prospective discoveries, <sup>Preamble.</sup> tending towards deriving from electricity a cheap and effective mode of supplying light and other advantages, for streets and public places, for public buildings, factories and private dwellings, render it desirable that the inhabitants of cities, towns and municipalities of the province of Quebec, should benefit as soon as possible by the advantages arising therefrom; but whereas, in order to meet such requirements, more ample provision should be made in the law than now exists, and for that purpose a company should be established, vested with full powers, under the control of the executive power of this province, and whereas the several persons hereinafter mentioned, have, by their petition, prayed that they, and such others as now are or hereafter may be associated with them in their undertaking, may be incorporated under the title hereinafter mentioned, for the purpose of furnishing electric light, motive power and heat or other advantages to be derived from electricity to the said cities, towns and municipalities;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

I. Ernest Chanteloup, Hon. John Hearn, Hon. H. Starnes, <sup>Persons incorporated.</sup> L. A. Sénécal, Thomas Wilson, Hon. F. G. Marchand, Hon. P.

Name of  
corporation.  
General  
powers.

Proviso: as to  
annual value  
of property.

B. de LaBruère, C. C. Colby, M. P., Raymond Prefontaine, M. P., J. B. Renaud, Thomas Tiffin, J. Azarie Archambault, Robert Leckie, Cyrille Duquet, Hon. P. Garneau, J. Damien Rolland, J. Moïse Dufresne, Willis Russell, C. J. Coursol, M. P., J. Crawford, J. S. Hall, D. C. Thomson, Guillaume Boivin, John Taylor, Benjamin Globensky, F. X. Archambeault, Elzéar Gerin, L. N. Carrier, Téléphore E. Normand, all of the Province of Quebec, and the Hon. William McDougall and C. H. Mackintosh of the Province of Ontario, together with all such persons as now are or hereafter may become shareholders in the company hereby established, shall be and they are constituted a body politic and corporate, to the ends and for the purposes in the preamble stated, by the name of "The Canadian Electric Light Company," with power to purchase, take and hold real property for the use of the company, and the same to sell and mortgage; provided always that the total annual value, (over and above the works thereon erected) of the lands or real estate, to be so acquired and held by the said Company, shall not exceed, in any municipality, the sum of twenty five thousand dollars per annum, nor, in the whole province, the total amount of one hundred thousand dollars per annum.

Head-office  
and works.

2. The chief place of business of the company shall be in the city of Montreal; but the company's works and business may be carried on or transacted either under the control of the head office or of a local board, in all or any of the municipalities situate in the province of Quebec or in any municipality situate within the limits of the Dominion of Canada, if it obtains from the Legislatures of the other Provinces the right of extending its operations outside of the Province of Quebec.

Capital.

3. The capital stock of the company shall consist of one million dollars (with power to increase as hereinafter provided) in shares of one hundred dollars each. Five hundred thousand dollars to be now issued, and the remaining half at the discretion of the directors; provided always that the subscribers to the first issue shall be entitled to subscribe to such remaining stock *pro rata* to the shares held by them, in preference to all others.

First issue.

First directors.

4. Ernest Chanteloup, Hon. John Hearn, Hon. H. Starnes, L. A. Sénécal, Thomas Wilson, Hon. F. G. Marchand, Hon. P. B. de La Bruère, Raymond Prefontaine, J. B. Renaud, J. Damien Rolland, C. J. Coursol, J. Crawford, J. S. Hall, B. Globensky, F. X. Archambeault, Elzéar Gerin, C. H. Mackintosh, and the Hon. W. McDougall shall be the first directors of the said company, and shall continue in office

Duration of  
office.

until the first general meeting of stockholders hereinafter mentioned.

5. The first general meeting of stockholders shall take place at the city of Montreal, on a day to be appointed by the directors, within twelve months from the passing of this act—and the ensuing annual meetings shall be held in each year thereafter, on the day and at such place and hour as may be appointed by the by-laws of the company or by the directors in their default.

First meeting of shareholders.  
Subsequent meetings.

6. At such first and subsequent annual meetings, seven directors shall be elected to hold office until their successors are appointed, as above provided.

Directors to be elected and duration of office.

7. Four of the said directors shall form a *quorum* of the board of directors and may exercise all the powers devolving upon and vested in directors.

Quorum and powers.

8. The shareholders of the company shall be bound to pay the amount of their subscriptions as they may, from time to time, be called upon by the directors; but the said directors shall only be bound to make calls, at the times and in the manner they deem to be expedient for the purposes of the company.

Payment of shares.  
Calls.

9. The company may establish a tariff and levy the amount thereof for all electricity which it may supply in the streets, public places, buildings, factories and private houses, either for lighting or heating or as motive power, or for telephonic communication, or any other purpose specially connected with electricity, or for the sale or lease of any electrical machine or apparatus.

Tariff for supplying electricity, &c.

10. It shall be lawful for any municipal corporation to take shares in the capital stock of the company, and to give it such bonus, loan or advances or grant it such privileges and exemptions as may be deemed advisable by the council of such municipal corporation, provided the by-law to that effect be approved by the majority in number and value of proprietors who are municipal electors.

Municipal corporations may take shares or grant bonus to company.

11. The company may lay its wires underground, as the same may be necessary, and in so many of the streets, squares, highways, lanes, and public places, as may be deemed necessary, from the works of the company to the place where such electricity is to be consumed, without doing any unnecessary damage to the streets, lanes, squares, highways, and public places, and taking care, as far as may be, to preserve a free and uninterrupted passage

Wires may be laid underground, &c.

through the said streets, squares, highways, lanes and public places while the works are in progress.

Works above  
ground, &c.

The company may also erect, above ground, all necessary constructions, including posts, piers and abutments intended for holding up the wires conducting the electricity along or across public roads and highways, or over any water course in this province, provided they shall not be so erected as to inconvenience the public using the said public roads, bridges or bank, nor to prevent free access to any other building erected in the vicinity, nor interrupt the navigation of the said waters.

Proviso.

Provided that the company shall in no wise interfere with public traffic or the use of such streets, squares, public places roads, highways and provided that, in cities, towns and incorporated villages, the company shall not erect any posts of a greater height than forty feet nor extend wires at a lesser height than twenty-two feet above the level of the street, nor erect more than one line of posts in any street, unless it shall have the consent of the municipal council for so doing, and that in all cities, towns or incorporated villages the posts shall be as straight and as perpendicular as possible and shall be painted in the cities, if any by-law of the council require it ; provided also that the company shall

Proviso.

not cut down or injure any tree, and provided that in the cities, towns and incorporated villages the opening of streets for the planting of posts or conducting wires under ground shall be made under the direction and supervision of the engineer or other officer whom the council may appoint and in such manner as the council may prescribe, and that the surface of the street shall, in all cases, be replaced in its former state by the company

Proviso.

and at its expense ; and provided further that, whenever, in the event of fire, it shall become necessary for its extinction or in order to save property, to cut the wires, the fact that such wires have been cut, under such circumstances and by the order of the engineer or other officer in charge of the fire brigade, shall not entitle the company to any claim for compensation for the damages it may have suffered ; provided that the company shall not be responsible to consumers of electricity for any interruption in the supply of light, arising from that cause.

Power to erect  
engines, &c.

**12.** After having acquired the land or property necessary for the carrying out of the works hereinafter mentioned, the company shall have the power to erect engines, or employ hydraulic power, and for such purpose erect, construct, and maintain a dam or dams across the rapids of any river, and also to conduct water from any such river by canals or flumes,

to be made by the company, at any place on the said rapids along the shores thereof, for hydraulic purposes; and may also construct all necessary locks, piers, and other works on the canals; it may extend its works into and take possession of the bed and beach of any river, at the entrance of the canals or flumes also for the foundations of the same, in their entire length, and at any point at which it may be found expedient to provide an outlet or outlets for the waters of the canals or flumes, or tail-races for water-powers taken from the said canals or flumes. It may enter upon in order to survey all lands on the line of rapids; and, from time to time, may purchase, acquire, hold and enjoy, all lands necessary for all the above purposes, and such ditches as may be necessary along the banks of any such river, or for a road on either or both sides thereof. It may make all bridges, intersections, crossings, whether through, under, or upon public or private roads, or any aqueduct or canal; and may erect all necessary dams, piers, wharves, canals, flumes, or other works, to secure the necessary supply of water for the works. Provided that it shall be responsible for all damages arising from inundations which its dams may cause or the carrying out of any of its works; and provided also that it shall have obtained from competent authority, in the Dominion of Canada, permission to make use of and utilize any public property, within the jurisdiction of the Dominion.

May enter  
lands along  
all rapids, &c.

Construct  
bridges, &c.

Proviso.

**13.** The company may use, sell, dispose of, or lease the surplus water from the flumes, dams or canals, which it will not require, but which might be found useful and applicable to drive any machinery in mills, warehouses, and manufactories; and may purchase, acquire, hold, or possess lands along the sides of the flumes, dams, or canals on either side or both sides thereof, and down to the river, and may sell, dispose of, or let and lease the said lands, with or without the water-power, on such terms and conditions as they may think fit.

Sell, &c., sur-  
plus water, &c.

Purchase  
lands, &c.

**14.** But the company shall not be deemed to possess any of the rights or privileges granted by this act, which might belong to the exclusive jurisdiction of the Federal power, without the previous authority of the Government or the Parliament of Canada, according to circumstances.

Limitation as  
to powers  
given by act.

**15.** Before commencing the laying of wires or the erection of flumes, the company shall be bound to make, to the Commissioner of Agriculture and Public Works, a report of the works which it proposes to undertake, and send a copy of the same to the Municipal

Report to  
Commissioner  
of Agriculture  
& Public  
Works.



Council of the municipality in which the projected works are to be made, or if it happens that such works are situate in more than one municipality, then to the municipal council of each municipality, within the limits of which the projected works are situated.

Who must  
approve plans  
before work is  
commenced.

**16.** The company shall have no right to commence constructing such flumes and laying such wires under-ground, before the approval of the Commissioner of Agriculture and Public Works shall have been signified in writing, nor before the expiration of thirty days from the day on which the report or reports aforesaid shall have been presented to the municipal council or councils, (as the case may be) although the approval of the Commissioner may have been signified in writing before the expiration of such period.

Public health  
and safety not  
to be en-  
dangered by  
works.

Subject to  
inspection.

**17.** The company shall so construct and locate their works, and all apparatus and appurtenances thereunto belonging or appertaining, so as not to endanger the public health or safety ; and the works, apparatus and appurtenances shall, at all reasonable times, be subject to the visit and inspection of the municipal authorities of the municipality, within the limits whereof they are situate, reasonable notice thereof being previously given to the company ; and the company, their servants and workmen shall, at all times, obey all just and reasonable orders and directions they shall receive from the municipal authorities in that respect.

Company  
responsible for  
damages in  
certain cases.

**18.** In case the company shall open or break up any street, square, or public place, and shall neglect to keep the passage of the street, square or public place, as far as may be, free and uninterrupted, or to place guards or fences, with lamps, or to place watchmen, or to take every necessary precaution for the prevention of accidents to passengers and others, or to close and replace the streets, squares or public places without unnecessary delay, or when notified so to do by the municipal authorities, to repair any damage that may have been caused to such street, square or public place, by reason of any works done therein by the company, it shall be responsible for damages caused by such neglect, and the municipal authorities of the corporation interested, after notice in writing to the company, shall cause the duty so neglected to be forthwith performed, and may recover the expense thereof from the company, and in default of payment of such expenses by the latter, within one month after demand, they may be recovered by civil action in any court of competent jurisdiction.

**19.** If any person lays, or causes to be laid, any wire or electric conductor, to communicate with any wire or electric conductor belonging to the said company, or in any way obtains or uses its electric current in any manner whatsoever, without the consent of the company, he shall forfeit and pay to the company the sum of one hundred dollars, and also a further sum of four dollars for each day during which such communication remains.

Penalty for unlawfully appropriating electricity, &c., of company.

**20.** If any person wilfully or maliciously breaks up, pulls down or damages, injures, puts out of order, or destroys any wire, engine, pipe, or plug used for an electric circuit or any instrument, meter, lamp, post, abutment, pier, or the materials connected therewith, or any other works or apparatus, appurtenances or dependencies thereof, or any matter or thing made and provided for the purposes aforesaid, or any of the materials used and provided for the same, or ordered to be erected, laid down, or belonging to the Company; or shall, in any wise, wilfully do any other injury or damage for the purpose of obstructing, hindering or embarrassing the construction, completion, maintaining or repairing of the works; or causes or procures the same to be done by others, or increases the supply of electricity or other illuminating material agreed for with the company, by increasing the number or size of the conducting wires, or the number of lamps, or using the electric current after having removed the apparatus belonging to the company, or in wasting such electric current, unnecessarily, negligently or wastefully, such person shall incur for the benefit of the company, a penalty not exceeding forty dollars, together with costs, provided always that in the event of the gas companies or municipal authorities deeming it advisable or necessary to do under-ground work which might expose any of the wires of the company, it shall be lawful for such gas company and such municipal authorities to do so without incurring the penalty above-mentioned, if it gives notice to the company, at its office, of its intention to perform such work, before commencing the same.

Penalty for maliciously damaging &c., company's property.

Proviso.

**21.** Neither the wires which supply the lamps, or heating apparatus, nor motive power with electricity, nor connecting wires of the company, nor any meters, lustres, lamps, apparatus or any other property, of any kind, whatsoever, of the company, shall be subject to or liable for rent, nor liable to be seized or attached in any way by the possessor or owner of the premises wherein the same may be, nor be, in any way whatsoever, liable to any person for the debt of any other person, to and for whose use, or the use of whose house or building the same may

Wires, &c., of company not liable to seizure for rent.

be supplied by the company, notwithstanding the actual or apparent possession thereof by such person.

Electricity,  
&c., may be  
cut off, if rent,  
&c., not paid.

**22.** If any person, supplied by the company with electricity, neglects to pay the rent, rate or charge due to the company, at any of the times fixed for the payment thereof, the company, or any person acting under their authority, on giving forty-eight hours' previous notice, may stop the supply of electricity from entering the premises of the person in arrear as aforesaid, by cutting off the service wire or wires, or by any such other means as the company or its officers see fit, and may recover the rent or charge then due together with the expenses of cutting off the electricity, notwithstanding any contract to furnish it for a longer time.

Power of  
company, &c.,  
to enter  
buildings, &c.,  
to cut off sup-  
ply.

**23.** In all cases, where the company may lawfully cut off and take away the supply of electricity from any house, building, or premises, the company, their agents and workmen, upon giving forty-eight hours' previous notice to the person in charge or to the occupant, may enter into the house, building or premises, between the hours of nine o'clock in the forenoon and four in the afternoon, making as little disturbance and inconvenience as possible, and may remove and take away any wire, meter, cock, branch, lamp, fittings or apparatus which are the property of and belong to the company; and any servant of the company, duly authorized, may, between the hours aforesaid, enter any house, into which electricity has been taken, for the purpose of repairing and making good any such house, building or premises, or for the purpose of examining any meter, wire, or apparatus belonging to the company or used for their electricity; and if any person refuses to permit or does not permit the servants and officers of the company to enter and perform the acts aforesaid, the person, so refusing or obstructing, shall incur a penalty in favor of the company for every such offence of forty dollars, and a further penalty of four dollars for every day during which such refusal or obstruction continues.

Penalties in  
whose name  
sued for.

**24.** All penalties, and forfeitures imposed by this act, may be sued for and recovered with costs by the company, either before a court of competent jurisdiction, or before one or more justices of the peace in the district where the offence has been committed.

31 Vic., cap.  
24, to apply.

**25.** The provisions of the joint stock companies general clauses act" (31 Vict., chap. 24) shall apply to and be a part of this act, except in so far as they are in contradiction to or inconsistent with any of the provisions of this act.

**26.** The company may borrow, under the authority of this act, and for carrying its provisions into effect, to the extent of five hundred thousand dollars in sums of not less than one hundred dollars, and at such rates of interest not exceeding the legal rate of interest, and for such periods as may be found expedient, and may issue under the hand of the president and the seal of the company, debentures or bonds of the company, to be countersigned by the secretary, for the sums so to be borrowed, payable at such time or times to the bearer thereof, either within the province or elsewhere, and either in currency or sterling, or in the lawful currency of any foreign country, with interest payable at the times specified therein, and with or without coupons annexed, and if with coupons, such coupons to be signed by the secretary, and shall be payable to the bearer at the time or times they shall respectively become due, and one of the signatures on the debentures may be lithographed as well as the signature, on the coupons. Such bonds or debentures shall respectively become due at the time, and shall be in the form prescribed by any by-law of the company, and may be recalled and others issued in their stead; and the sums so borrowed shall be paid out of the property and revenues of the said works and of the company; and for the payment thereof, the holders shall, if so provided in such debentures and bonds, have a special charge, lien, mortgage, or hypothec, upon such properties and revenues, but no holder of any debenture or bonds shall have any priority or privilege over any other debenture or bondholder, whatever may be the date of such bond or debenture, or of the registration thereof; and the total amount so borrowed shall at no time exceed the amount of the assets in material, works, patent rights and shares in other companies belonging to the company.

Company may  
borrow certain  
sums.

And issue  
debentures  
therefor.

Payment of  
such bonds.

Amount  
limited.

**27.** The company shall have the right to acquire the ownership or use of all patents relating to the employment of electricity, and to issue paid up shares in payment of all such purchases or contracts, and generally for all services for which it shall be obliged to pay. It may also fabricate the machines covered by such patent rights.

Company may  
acquire, &c.,  
patents, &c.

May manufac-  
ture patent  
machines.

**28.** And considering that it may be desirable or advantageous for citizens of any municipality or group of municipalities, for the purpose of controlling the operations of the company in the interest of the rate-payers, to form themselves into a separate company to supply light, heat, motive power or other advantages to be derived from electricity, within the limits of such municipality or group of municipalities, it is hereby enacted that such separate and

Preamble.

Other com-

panies may be formed, &c. distinct company may be formed with the consent of the Canadian Electric Light Company, and on such conditions, as may be agreed upon with it, for the purposes above set forth, in each municipality or group of municipalities.

Letters-patent to be granted such companies under. 31 Vic., c. 25. And such company shall be incorporated by letters-patent, granted in accordance with the provisions of the joint stock companies' incorporation act (31 Victoria, chapter 25), and before it can exercise such right it must obtain the approval of the lieutenant governor in council, who may grant the same on a joint petition from the Canadian Electric Light Company and such new local company.

Company may subscribe to shares in such other companies. 29. The Canadian Electric Light Company may subscribe for such amount of shares in the capital stock of such company mentioned in the preceding section, as it may deem advisable, and to demand such compensation either as bonus or out of the profits as it may agree upon with such new company.

Company may transfer certain powers to such other companies. 30. The Canadian Electric Light Company shall have the right to make over and transfer to any such new company the whole or a portion of the powers conferred upon it by the present act, in order that such company may exercise the same within the limits of such company's jurisdiction.

Act in force. 31. This act shall come into force on the day of its sanction.

### C A P. L X X.

An Act to incorporate the Montreal Electric Light Company.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS the Honorable Thomas Ryan and the Honorable John Hamilton, Senators, The Honorable John Joseph Caldwell Abbott, one of Her Majesty's counsel, Edward Kirk Green and Ebenezer Hearle, Merchants, all of the city of Montreal, have, by their petition, represented that divers new and useful inventions have been made in the production of light, heat and motive power from electricity, and that it is expedient and of advantage to the Province of Quebec, that the same should be made use of within the Province, and have prayed to be incorporated into a company for that purpose. And whereas it is expedient to grant the prayer of the petitioners ; Therefore, Her Majesty, by and with the

advice and consent of the Legislature of Quebec, enacts as follows:

1. The persons hereinabove-mentioned, and all other persons who may hereafter become shareholders, are constituted a corporation, under the name of the "Montreal Electric Light Company." Persons incorporated. Name of corporation.

The head office of the company shall be in the city of Montreal. Head-office.

2. The company shall have power to manufacture, furnish, produce, use and sell or lease light, heat and motive power in the city and district of Montreal, generated from electricity: and to establish, construct, purchase or lease, work and carry on any lines of wires, tubes, or other apparatus for conducting electricity for the said purposes, between any points within the district of Montreal, either by land or by water; and to make connection, whenever necessary for the purposes of their business, with the lines of any telegraph company, within the limits of the district of Montreal; the Company shall have and use the powers hereinabove-mentioned, in and upon vessels in the port of Montreal. The company shall have all power necessary for the purposes aforesaid, but it shall be responsible for all damages which it may cause in carrying out any of its works. Power to manufacture, &c., electric light, &c., &c. Responsible for damages.

3. The company shall have power to lay down, construct, erect, and maintain lines of wires, tubes, or other apparatus, for conducting electricity along the sides of, underneath and across any public highways, bridges, or water-courses, within the limits of the district of Montreal, without doing any unnecessary damage and taking care, as far as may be, to preserve a free and uninterrupted passage through the said highways, bridges or water courses. Power to lay down wires, &c.

The said company shall also have full power to set up posts, for supporting such lines, in and upon any public road, street or highway, and lamp posts for supplying lights from electricity, and to make the necessary excavations in the same, for placing such posts or poles or lamp posts or for carrying such lines under the surface thereof, or of any navigable or other water; provided they shall not be so erected as to inconvenience the public using the public roads, streets or highways, nor to prevent, free access to any building erected in the vicinity, nor interrupt navigation. Provided that the company shall in no wise interfere with public traffic or the use of such public roads, street or highways, and provided that the company shall not erect any posts, of a greater height than forty feet nor extend wires at a lesser height than twenty- Set up posts, &c. Proviso as to public convenience. Proviso as to public traffic, &c.

Proviso as to  
trees, &c.

two feet, nor erect more than one line of posts in any public road, street or highway, unless it shall have the consent of the municipal council for so doing, and that the posts shall be as straight and as perpendicular as possible and shall be painted, if any by-law of the council require it; provided also that the company shall not cut down or injure any tree; and provided that the opening of public roads, streets or highways, for the planting of posts or conducting wires under ground, shall be made under the direction and supervision of the engineer or other officer whom the council may appoint, and in such manner as the council may prescribe, and that the surface of the public road, street or highway shall, in all cases, be replaced in its

Proviso as to  
destruction of  
company's  
wires at fires.

former state by the company and at its expense; and provided further that, whenever, in the event of fire, it shall become necessary for its extinction or in order to save property, to cut the wires, the fact that such wires have been cut, under such circumstances and by the order of the engineer or other officer in charge of the fire brigade, shall not entitle the company to any claim for compensation for the damages it may have suffered; provided that the company shall not be responsible to consumers of electricity for any interruption in the supply of light, arising from that cause.

Proviso as to  
interruption of  
light from  
such cause.

Authority of  
Federal Par-  
liament to be  
obtained if  
necessary.

4. But the company shall not be deemed to possess any of the rights or privileges granted by this act, which might belong to the exclusive jurisdiction of the Federal power, without the authority of the Government or the Parliament of Canada, according to circumstances.

Public health  
or safety.

5. The company shall so construct and locate its works, and all apparatus and appurtenances thereunto belonging or appertaining, so as not to endanger the public health or safety; and the works, apparatus and appurtenances shall, at all reasonable times, be subject to the visit and inspection of the municipal authorities of the municipality, within the limits whereof they are situate, reasonable notice thereof being previously given to the company; and the company, its servants and workmen, shall, at all times, obey all just and reasonable orders and directions they shall receive from the municipal authorities in that respect.

Works subject  
to inspection  
by municipal  
authorities.

Damages for  
negligence in  
opening  
streets, &c.

6. In case the company shall open or break up any public road, street or highway, and shall neglect to keep the passage, as far as may be, free and uninterrupted, or to place guards or fences, with lamps, or to place watchmen, or to take every necessary precaution, for the prevention of accidents to passengers and others, or to close and replace the public roads, streets or highways without unnecessary delay, or,

when notified so to do by the municipal authorities, to repair any damage that may have been caused by reason of any works done therein by the company, it shall be responsible for damages caused by such neglect, and the municipal authorities of the corporation interested, after notice of writing to the company, shall cause the duty so neglected to be forthwith performed, and may recover the expense thereof from the company, and in default of payment of such expenses by the latter, within one month after demand, they may be recovered by civil action in any court of competent jurisdiction. Recovery of damages.

**7.** Thomas Ryan, John Hamilton, John Joseph Caldwell Abbott, Edward H. Green and Ebenezer Hearle shall be, the provisional directors of the company, and shall hold office as such, until the first election of directors and they shall have power to open stock-books, and procure subscriptions of stock for the undertaking, and to receive payments on account of stock subscribed, and to deposit in any bank moneys received by them on account of stock subscribed. Three shall form a quorum. Provisional directors.  
Quorum.

**8.** The capital stock of the company shall be one hundred thousand dollars, and shall be divided into shares of one hundred dollars each. The capital may be increased, from time to time, by resolution of the board of directors, by and with the consent of the shareholders, at any general meeting thereof, called for that purpose; but such capital shall, at no time, exceed five hundred thousand dollars. Capital stock.  
May be increased.  
Limitation.

**9.** So soon as one-half of the capital stock shall have been subscribed and ten per cent shall have been paid in thereupon, the provisional directors, or a majority of them, shall call a meeting of the company, at the city of Montreal, at such time and place as they may think proper giving at least two weeks' notice, in the *Quebec Official Gazette*, and in one or more papers published in the city of Montreal; and at such meeting the shareholders shall elect five directors. Calling of first meeting for election of directors.

**10.** Every holder of stock shall, at any general meeting of the shareholders, be entitled to one vote for every share held by him. Right to vote.

**11.** There shall be five directors of the company, which number may be increased by the by-laws, and no person shall be elected a director unless he be a shareholder, holding at least ten shares in the stock of the company. Directors of the company.



Power of  
directors to  
borrow money  
and issue  
debentures.

**12.** The directors shall have power and authority to borrow such sums of money, not exceeding the amount of the subscribed capital of the company at the time of such loan being made, as the directors shall deem necessary, and to issue bonds therefor, of not less than one hundred dollars each, under the seal of the company, signed by its president and countersigned by its secretary, in such sums and at such rate of interest, as may be legally stipulated, and payable at such times and places, as the directors shall determine, for the purpose of carrying out any of the objects and purposes of this act.

31 Vic., c. 25,  
to apply to  
company.

**13.** The Joint Stock Companies General Clauses Act shall be incorporated with this act, and all clauses of the same shall apply to the company, in so far as they are not inconsistent with or opposed to the provisions of this act.

## C A P. L X X I.

An Act to incorporate the "Quebec and Levis Electric Light Company."

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS the Honorable Pierre Garneau, the Honorable Adolphe P. Caron, Andrew Thomson, Joseph Bell Forsyth, and William Sharples, all of Quebec, have, by their petition, represented that divers new and useful inventions have been made in the production of light, heat and motive power from electricity, and that it is expedient and of advantage to the city of Quebec and the town of Levis, that the same should be made use of within the city and town aforesaid and have prayed to be incorporated into a company for that purpose; And, whereas, it is expedient to grant the prayer of the petitioners: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Persons incor-  
porated.

Name of cor-  
poration.  
Head-office.

**1.** The persons hereinabove mentioned, and all other persons, who may hereafter become shareholders are constituted a corporation under the name of the "Quebec and Levis Electric Light Company." The head-office of the company shall be in the city of Quebec.

Power to  
manufacture,  
&c., electric  
light, &c.

**2.** The company shall have power to manufacture, furnish, produce, use and sell or lease light, heat and motive power in the city and district of Quebec, generated from electricity and to establish, construct, purchase or lease, work and carry on any lines of wires, tubes or other

apparatus, for conducting electricity for the said purposes, between any points within the district of Quebec, either by land or by water, and to make connection, whenever necessary for the purposes of their business, with the lines of any telegraph company within the limits of the district of Quebec; and the company shall have and use the powers hereinabove mentioned, in and upon vessels in the port of Quebec. The company shall have all power necessary for the purposes aforesaid, but it shall be responsible for all damages which it may cause in carrying out any of its works Responsible for damages.

**3.** The company shall have power to lay down, construct, erect and maintain lines of wires, tubes or other apparatus, for conducting electricity along the sides of, underneath and across any public highways, bridges or watercourses, within the limits of the district of Quebec; without doing any unnecessary damage and taking care, as far as may be, to preserve a free and uninterrupted passage through the said highways, bridges or water courses. Power to lay down wires, &c.

The company shall also have power to set up posts, for supporting such lines, in and upon any public road, street, or highway, and lamp-posts for supplying light from electricity and to make the necessary excavations in the same, for placing such posts or poles or lamp-posts, or for carrying such lines under the surface thereof, or of any navigable or other water; provided they shall not be so erected as to inconvenience the public using the public roads, streets or highways, nor to prevent free access to any building erected in the vicinity, nor interrupt navigation. Set up posts, &c. Provided that the company shall in no wise interfere with public traffic or the use of such public roads, streets or highways; and provided that the company shall not erect any posts of a greater height than forty feet, nor extend wires at a lesser height than twenty-two feet, nor erect more than one line of posts in any public road, street or highway, unless it shall have the consent of the municipal council for so doing, and that the posts shall be as straight and as perpendicular as possible and shall be painted, if any by-law of the council require it; provided also that the company shall not cut down or injure any tree, and provided that the opening of public roads, streets or highways, for the planting of posts or conducting wires under ground, shall be made under the direction and supervision of the engineer or other officer whom the council may appoint and in such manner as the council may prescribe, and that the surface of the public road, street or highway shall, in all cases, be replaced in its former state by the company and at its expense; and provided further that, whenever, in the event of fire, it shall Proviso: as to public convenience, &c. Proviso: as to public traffic, &c. Proviso: as to trees, &c. Proviso: as to destruction of

companies' wires at fire.

become necessary, for its extinction or in order to save property, to cut the wires, the fact that such wires have been cut, under such circumstances and by the order of the engineer or other officer in charge of the fire brigade, shall not entitle the company to any claim for compensation for the damages it may have suffered; provided that the company shall not be responsible to consumers of electricity for any interruption in the supply of light, arising from that cause.

Proviso: as to interruption of light from such cause.

Authority of Federal Parliament so to be obtained if necessary.

4. But the company shall not be deemed to possess any of the rights or privileges granted by this act, which might belong to the exclusive jurisdiction of the Federal power, without the authority of the Government or the Parliament of Canada, according to circumstances.

Public health safety.

5. The company shall so construct and locate its works, and all apparatus and appurtenances thereunto belonging or appertaining, so as not to endanger the public health or safety; and the works, apparatus and appurtenances shall, at all reasonable times, be subject to the visit and inspection of the municipal authorities of the municipality, within the limits whereof they are situate, reasonable notice thereof being previously given to the company; and the company, its servants and workmen, shall, at all times, obey all just and reasonable orders and directions they shall receive from the municipal authorities in that respect.

Works subject to inspection of municipal authorities.

Damages for negligence in opening streets, &c.

6. In case the company shall open or break up any public road, street or highway, and shall neglect to keep the passage, as far as may be, free and uninterrupted, or to place guards or fences, with lamps, or to place watchmen, or to take every necessary precaution for the prevention of accidents to passengers and others, or to close and replace the public roads, streets or highways without unnecessary delay, or when notified so to do by the municipal authorities, to repair any damage that may have been caused by reason of any works done therein by the company, it shall be responsible for the damages caused by such neglect, and the municipal authorities of the corporation interested, after notice of writing to the company, shall cause the duty so neglected to be forthwith performed, and may recover the expense thereof from the company, and in default of payment of such expenses by the latter, within one month after demand, they may be recovered by civil action in any court of competent jurisdiction.

Recover damages.

Provisional directors.

7. Pierre Garneau, Adolphe P. Caron, Andrew Thomson, Joseph Bell Forsyth and William Sharples shall be the provisional directors of the company, and shall hold office,

as such, until the first election of directors; and they shall have power to open stock-books and procure subscriptions of stock for the undertaking, and to receive payments on account of stock subscribed, and to deposit in any bank moneys received by them on account of stock subscribed. Three shall form a quorum.

Quorum.

8. The capital stock of the said company shall be one hundred thousand dollars and shall be divided into shares of one hundred dollars each. The capital may be increased, from time to time, by resolution of the board of directors, by and with the consent of the shareholders, at any general meeting thereof, called for that purpose; but such capital shall, at no time, exceed five hundred thousand dollars.

Capital stock  
May be increased.

Limitation.

9. So soon as one-half of the capital stock shall have been subscribed and ten per cent shall have been paid in thereupon, the provisional directors, or a majority of them, shall call a meeting of the said company, at the city of Quebec, at such time and place as they may think proper, giving at least two weeks' notice, in the *Quebec Official Gazette*, and in one or more papers published in the city of Quebec; and at such meeting the shareholders shall elect five directors.

Calling of first  
meeting for  
election of  
directors.

10. Every holder of stock, shall, at any general meeting of the shareholders, be entitled to one vote for every share held by him.

Right to vote.

11. There shall be five directors of the company, which number may be increased by the by-laws and no person shall be elected a director, unless he be a shareholder, holding at least ten shares in the stock of the company.

Directors of  
company.

12. The directors shall have power and authority to borrow such sum of money, not exceeding the amount of the subscribed capital of the company at the time of such loan being made, as the directors shall deem necessary; and to issue bonds therefor of not less than one hundred dollars each, under the seal of the company, signed by the president, and countersigned by its secretary, in such sums and at such rate of interest as may be legally stipulated and payable at such times and places as the directors shall determine, for the purpose of carrying out any of the objects and purposes of this act.

Power of  
directors to  
borrow money  
and issue  
debentures.

13. The Joint Stock Companies General Clauses Act shall be incorporated with this act, and all clauses of the same shall apply to the company, in so far as they are not inconsistent with, or opposed to the provisions of this act.

31 Vic., c. 24,  
to apply to  
company.

## CAP. LXXII.

An Act to incorporate the "Quebec and Levis Telephone Company."

[Assented to 30th June, 1881]

## Preamble.

**W**HEREAS Charles William Carrier, Louis Edouard Couture, George T. Davie, Eugène Chinic, John Breakey, Cyrille Duquet, Lewis Davis and Louis Napoléon Carrier have, by their petition, prayed to be incorporated, together with other persons, under the name of the "Quebec and Levis Telephone Company," and it is expedient to grant the prayer of their said petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

## Persons incorporated.

**1.** The said Charles William Carrier, Louis Edouard Couture, George T. Davie, Eugène Chinic, John Breakey, Cyrille Duquet, Lewis Davis and Louis Napoléon Carrier, and such other persons as may hereafter become shareholders in the company, hereby incorporated, are constituted a body corporate and politic under the name of the "Quebec and Levis Telephone Company."

## Name of company.

## Purpose of the company.

**2.** The object of the company is to establish communication, by means of telephone lines, in the province of Quebec, and for such purpose it shall have power to manufacture, purchase or lease telephones and all apparatus and instruments necessary for working the same, to construct, purchase, lease, establish and maintain lines for the transmission of messages by telephone in the said province, and for such purpose to place themselves in communication or amalgamate with any telephone or telegraph or electric light line already in existence or which may hereafter be constructed, to purchase or lease, for such a period as it may think proper, any telephone line, established or to be established in the said province, and to make with any company or person, owning such telephone, telegraph or electric light line, all necessary arrangements for the transmitting such messages over the said lines, on such terms and conditions as the company may deem most advantageous.

## Power to erect, &amp;c., telephone lines.

**3.** The company may erect, construct and maintain its telephone lines along, across, over and under public roads, streets, bridges, water-courses and rivers or other places, without, however, in any way interfering with navigation nor the freedom of public traffic; but in the cities, towns and incorporated villages, the poles, which it may erect for

such purpose, shall not be more than forty feet in height above the street, nor the wires at a height of less than twenty-two feet above the street; the said poles must further be perpendicular and as straight as possible, and only one line thereof shall be erected along the streets except with the express consent of the municipal authorities; provided that in the event of its being necessary to dig holes or excavations to receive such poles, or to lay the wires under ground, the work shall be done under the direction of the engineer or of the officer appointed for such purpose by the municipal council, keeping the thoroughfare open in such street, as far as practicable and free from obstructions, and taking all the necessary precautions to avoid accidents, and also that the company shall, at its own expense, replace everything in the same state as before the performance of such work; provided also that if it should become necessary in case of fire, and for the protection of property, to cut or in any way injure the wires and poles belonging to the company, the latter shall have no claim for damages when the same shall have been caused by the fire brigade or the municipal authorities for the purposes above mentioned.

Proviso as to the erection of posts in cities, &c.

Proviso: as to excavation.

Proviso: as to cutting wires at fire.

4. The capital stock of the company shall be twenty thousand dollars, divided into two hundred shares of one hundred dollars each.

Capital stock of company.

It may be increased to the extent of five hundred thousand dollars, after the whole of the said capital of twenty thousand dollars shall have been subscribed, and at least fifty per cent. thereof paid up, by a simple resolution of the board of directors, with the consent of the majority in value of the shareholders present, or duly represented at an annual general meeting, or at a meeting specially called for the purpose.

May be increased.

5. The company may commence its operations as soon as ten thousand dollars of its capital stock shall have been subscribed and paid up.

Commencement of operations.

6. The head-office of the company shall be at Quebec.

Head-office.

7. The affairs of the company shall be managed and administered by a board of seven directors, each of whom shall be the holder and possessor of at least five shares and four members present at such board shall form a quorum.

Directors.

Quorum.

8. The persons mentioned in the preamble shall be the provisional directors of the company, with power to open stock-books for subscriptions to the capital stock and to receive the said subscriptions and they shall remain in

Provisional board.

office as such, until the election of their successors, as soon as possible after ten thousand dollars of the capital stock shall have been subscribed and paid up.

Penalty for  
injuring, &c.,  
wires, &c., of  
company.

9. If any person wilfully and maliciously injures, breaks, destroys or in any way damages the wires, poles, apparatus, instruments or other property of the company, or in any manner wilfully impedes or hinders the putting into operation and working of such telephone line, or intercepts any message transmitted by it, such person shall, on conviction thereof, before one or more justices of the peace of the locality in which the offense has been committed, be condemned to pay to the company a penalty not exceeding forty dollars, with the costs of suit, and in default of payment to be imprisoned in the common gaol of the district for a period not exceeding three months, without prejudice to the recourse which the company may have to the ordinary civil courts for damages caused to property.

31 Vic., c. 24,  
to apply to  
company.

10. The various provisions of the "Joint Stock Companies General Clauses Act," shall be considered as forming part of the present act, in so far as the same may apply thereto.

### CAP. LXXIII.

An Act to amend the charter of the City of Montreal.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS, in and by the then existing legislative provisions, the city of Montreal, then duly incorporated under the name of "*The Mayor, Aldermen and Citizens of the City of Montreal*," proceeded, in the year 1866, to the widening of Sherbrooke street, between the public highway known as Union Avenue and Saint-Denis street, after having determined by resolution of its council that the total cost of that improvement should be assessed upon the real estate benefited; that the cost amounting to the sum of \$36,522.07 was duly deposited in the prothonotary's office of the Superior Court in and for the district of Montreal, by the corporation on the 19th March 1866; that the assessors made the assessment roll of the cost upon the real estate benefited, which roll was contested before the court by several of the parties interested; and whereas the papers and documents, forming the record of the contestation and the roll of assessment itself are lost and have disappeared and cannot be found, notwithstanding the most active researches; and whereas the assessment roll, prepared as regards the widening of St.

Lambert street, in 1867, and the contestation which followed before the court, after the deposit of the sum of \$26,318.88 made by the corporation as indemnity, on the 5th June 1867 have disappeared and cannot be found;

And whereas, finally, it has become necessary, in the interests of justice, to enable the corporation to recover from the parties benefited by such improvements, the large sums of money disbursed by the corporation for the profit and advantage of the parties benefited; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. It shall be lawful for the said corporation of the City of Montreal to cause a new assessment roll to be made in each of the cases aforesaid, in the manner prescribed and specified in sub-sections 1, 2, 3, 4 and 5 of section 4 of the act 42-43 Victoria, chap. 53; and sections 8 and 9 of the said act shall apply to the said proceedings. But the commissioners appointed to make the new assessment roll for the widening of Sherbrooke street shall, in no case, impose a higher rate on any property than that imposed by the contested roll, as may be ascertained by copies of the last mentioned roll certified by the city clerk; and the costs, incurred by the parties contesting the said last mentioned roll; shall be paid by the city.

New assessment roll may be made for certain purposes.

Limitation of amount of assessments.

Costs of contestation of old roll by whom paid.

2. Section 83 of the act of the Legislature of this Province, passed in the 37th year of Her Majesty's reign, chap. 51, is repealed and the following substituted in its stead:

37 Vic., 51 s. 83, replaced.

"83. The special rate imposed, on the various trades, business or occupations hereinbefore specified, shall be payable for every establishment of such trade, business or occupation in the said city, when it shall be carried on by the same person, firm of persons or company in more than one distinct and separate house, building or place of business."

How special rate shall be payable.

3. And whereas it is in the interest of the city to amend certain provisions of the charter of the city, 37 Vict. Chap. 51 and more particularly sections 112, 114, 116 and 117, in so far as relates to the sinking fund for the repayment of the various loans therein mentioned and of any other loan which the said city may be authorized to effect, it is enacted that, in future, the city shall have power and authority to purchase and make use for the purposes of the sinking fund, of such of its bonds and securities as it may be able to obtain at or below par; and as to the loans to be effected after the passing of this act, the city is authorized to repay, if it deems proper, all such loans by means of annual drawings.

City may purchase its own bonds for sinking fund.

Annual drawings for payment of future loans.



Jurisdiction of  
city police,  
during exhibi-  
tion in certain  
parts of  
St. Louis du  
Mile End.

4. The police force of the city of Montreal and each and every officer or constable of the same shall have power, authority and jurisdiction during exhibition times over that piece of land adjoining the north west limits of the said city, used for the purposes of industrial and agricultural exhibitions, and commonly known as, "the Exhibition Grounds," and may arrest or cause to be arrested any person contravening the provisions of any by-law of the municipality of St. Louis du Mile End and more especially any by-law or statute concerning games or gambling, or the sale of intoxicating drinks, and may proceed against such person before the proper tribunal.

Act in force.

5. This act shall come into force on the day of its sanction.

#### C A P . L X X I V .

An Act to amend the charter of the Town of St. Johns.  
(43-44 Vict. chap. 62.)

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS the corporation of the Town of St. Johns has, by its petition, represented that it is expedient to make certain amendments to the charter of the said town, (43-44 Vict., chap. 62) and to grant it more ample powers ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

43-44 V., c. 62,  
s. 18, amended.

1. Section 18 of the act, 43-44 Victoria chap. 62, is amended by adding, at the end of the said section, the following paragraph :

Nominations.

" The nomination of each candidate shall be in writing, and shall be signed by at least ten electors qualified to vote at such election, and shall be placed in the hands of the officer presiding at the election, on the morning of or the evening before the nomination day, but before the hour fixed for the nomination. "

43-44 V., c. 62,  
s. 41, amended.

2. Section 41 of the said act is amended, by substituting the word : " or " for the word " and " in the last line but one.

43-44 V., c. 62,  
s. 44, amended.

3. Section 44 of the said act is amended by striking out, in the third and fourth lines, the words " and at such meeting. "

43-44 V., c. 62,  
s. 47, amended.

4. Section 47 of the said act is amended, by adding, after

the word " month " at the end of the first line, the words :  
 " on the first Monday of the month, if it be a juridical day, <sup>43-44 V., c. 62,</sup>  
 and if not on the next following juridical day, and such <sup>s. 79, amended.</sup>  
 meeting shall be called a general meeting. "

5. Section 79 of the said act is amended by adding after <sup>43-44 V., c. 62,</sup>  
 the word " valuation-rolls " in the fourth line thereof, the <sup>s. 86, amended.</sup>  
 following words : " or assessment rolls. "

6. Section 86 of the said act is amended by striking out <sup>Taxes upon</sup>  
 sub-sections 1, 2, 3, 4 and 5, and replacing them by the <sup>real property.</sup>  
 following sub-sections :

" 1. On all lands, town lots or portions of lots and on all <sup>Limitation of</sup>  
 buildings and outbuildings thereon erected and built, a <sup>special tax.</sup>  
 sum not exceeding five eighths of a cent in the dollar on  
 their real value as estimated and shown on the valuation  
 rolls : Provided that in the case of a special tax being  
 imposed on real estate by notice under section 22 of this  
 act, the tax on such real estate be reduced and limited in  
 such manner that the united taxes do not amount at any  
 time to a higher rate than that imposed on stocks of  
 merchandize and other goods and effects enumerated in  
 sub-section 2 of the said section 6 of the said act ;

2. On all stocks in trade or goods kept by merchants <sup>Upon mer-</sup>  
 or traders and exposed for sale on shelves in shops, or <sup>chandize.</sup>  
 kept in vaults, store houses or yards, a tax not exceeding  
 five eighths of a cent in the dollar, on the estimated average  
 value of such stocks in trade ;

3. On all tenants, paying rent in the town, an annual <sup>Upon tenants.</sup>  
 sum not exceeding five cents in the dollar on the amount  
 of their rent ;

4. On each horse, mule or ass, an annual tax not exceed- <sup>Horses.</sup>  
 ing one dollar ;

5. On each cabriolet or light waggon drawn by two horses, <sup>Light</sup>  
 an annual tax not exceeding four dollars ; <sup>waggons.</sup>

6. On each cabriolet or light waggon drawn by one <sup>Do.</sup>  
 horse, an annual tax not exceeding two dollars ;

7. On each vehicle commonly used as a vehicle for <sup>Draught</sup>  
 heavy draught, drawn by two horses, an annual tax not <sup>waggons.</sup>  
 exceeding two dollars ;

8. On each such vehicle drawn by one horse, an annual <sup>Do.</sup>  
 tax not exceeding one dollar ;

9. On each omnibus, an annual tax not exceeding five <sup>Omnibus.</sup>  
 dollars ;

**Dog.** 10. On each dog, an annual tax not exceeding two dollars.

**Bitch.** 11. On each bitch, an annual tax not exceeding five dollars."

43-44 V., c. 62,  
s. 89, § 25.

Numbers on  
dogs.

7. Sub-section 25 of section 89 of the said act is amended by inserting at the beginning thereof, the words: "For compelling every person owning or keeping dogs in the town of St. Johns to have such dog or bitch entered and numbered on or before the fifteenth day of June in each year at the office of the corporation, and for compelling each such person owning or keeping dogs to make each such dog or bitch carry a collar with a piece of metal, as shall be indicated by a by law of the council "

43-44 V., c. 62,  
s. 89, § 37,  
replaced.

Numbers for  
carters, &c.

8. Sub-section 37 of section 89 of the said act, is repealed and replaced by the following:

" 37. To oblige carters, proprietors or drivers of public vehicles from livery stables or for the conveyance of loads in the town to procure from the corporation annual licences represented by numbers, the price of such licences not to exceed the sum of five dollars for each such ticket or number, also to oblige carters, proprietors or drivers from livery stables or for the conveyance of loads in the town to affix such numbers on each vehicle or harness; these numbers to be provided by the corporation. Also to make a tariff of the fares payable to carters for their services and to prevent the latter from exacting higher fares than those fixed by the tariff."

43-44 V., c. 62,  
s. 89, § 84,  
amended.  
Demolition.  
&c., of build-  
ings.

9. The said section 89 is amended by adding, at the end of sub-section 84, the following words:

" And to oblige every owner to demolish or cause to be demolished any building, roof or wall made in contravention of this sub-section, and to prevent and stop the construction or erection of any building which may not be sufficiently solid or may be a source of danger to the public, and the council may order or cause the same to be demolished. "

43-44 V., c. 62,  
s. 90, § 20,  
amended.

10. Sub-section 20 of section 90 of the said act is amended by adding at the end of the said sub-section the following words: " and to the remission of taxes due on the same. "

43-44 V., c. 62,  
s. 91, amended.

11. Section 91 of the said act is amended by striking out the words: " and assuring their continuance " in the third line thereof.

43-44 V., c. 62,  
s. 96, amended.

12. Section 96 of the said act is amended by adding after the word: " lot," at the end of the ninth line of the first paragraph thereof, the words: " or to its superficial area. "

**13.** Section 98 of the said act is amended by adding <sup>43-44 V., c. 62,</sup> after the figures 33, in the third line thereof, the words: "in <sup>s. 98, amended.</sup> so far only as they apply to the mayor;" by striking out the words: "the two first sub-sections of 39," and by replacing them by the following words: "39, as to sub-sections 1 and 2 only;" by striking out the figures 210 in the seventh line, 377 in the twelfth line and 380 in the thirteenth line thereof; and further by adding after the figures 229 in the tenth line the word "and".

**14.** Every by-law, passed in virtue of sections 227 and 229 of the town corporations general clauses act, before coming into force shall be approved by two-thirds of the freehold proprietors of the town who shall have voted on such by-law, provided such two-thirds represent at least one half of the total value of the taxable real estate in the town. <sup>By-laws to be approved.</sup>

**15.** Section 105 of the said act is amended, by adding <sup>43-44 V., c. 62,</sup> at the end thereof the words: <sup>s. 105, amended.</sup>

"No transfer of the licenses above mentioned shall be made, without the permission of the council, for which <sup>Transfer of licenses.</sup> permission the council shall be entitled to charge a sum not exceeding one hundred dollars, and the License Inspector shall not approve any such transfer without such permission of the Council.

**16.** Section 109 of the said act is amended by striking <sup>43-44 V., c. 62,</sup> out the word: "two" in the twentieth line thereof and <sup>s. 109, amended.</sup> replacing it by the word "one third of one". And also by striking out the last eight lines which read as follows: "And provided also that it shall be lawful for the said town council to call in its bonds or debentures of any kind whatsoever, when it shall be in a position to do so, with advantage to the corporation of the town of St. Johns; in such case the interest on such bonds or debentures shall cease to run within two months from the date of the publication of the calling in, any provision to the contrary notwithstanding."

The reduction of the rate for the sinking fund shall have effect only for future loans.

**17.** Section 110 of the said act is amended by striking <sup>43-44 V., c. 62,</sup> out in the fourth and fifth lines thereof the words: "the <sup>s. 110, amended.</sup> majority in number and in value of the assessed free-hold proprietors of the said town" and replacing them by the words: "two-thirds of the free-hold proprietors of the town who shall have voted on such by-law or resolution, provided such two-thirds represent at least one half of the total taxable real estate in the town."

Section 110 is further amended by striking out in the fifth paragraph all the words after the word: "town" to the end of the paragraph and replacing them by the following: "if the two-thirds of the freehold proprietors who have voted for or against the said by-law or resolution or if the two-thirds in favor of such by-law or resolution represent at least one half of the total taxable real estate in the town."

43-44 V., c. 62, s. 113, amended. **18.** Section 113 of the said act is amended by striking out the word "or" in the fourteenth line thereof and replacing it by the following words: "and in default of immediate payment of such fine and costs;" and by striking out the words: "according to the judgment of such mayor or justice of the peace," at the end of the said section.

43-44 V., c. 62, s. 117, amended. **19.** Section 117 of the said act is amended by striking out all the words after the words "default of" in the sixth line thereof, and replacing them by the following words: "immediate payment of such fine and of the costs allowed by the Court or judge who has taken cognizance of such offence, as stated and specified in any of the said by-laws or any of the provisions of the present act; but the imprisonment shall nevertheless cease at any time on payment of such fine and costs, before the expiration of the term of imprisonment, even when no mention thereof is made in the by-laws or in the provisions of the present act; and the omission of such mention in the by-laws of the council shall not have the effect of invalidating them."

Suits before whom brought. **Every** action or complaint for infringement of any by-law of the town-council, or of any provision of the present act, imposing a penalty for such infringement, shall be taken and brought before the circuit court for the district of Iberville or before a justice of the peace residing in the said town."

43-44 V., c. 62, s. 124, replaced. **20.** Section 124 of the said act is repealed and the following substituted therefor:

Penalty for breach of certain by-laws. **"124.** It shall be lawful for the town council to impose, for infringements of the by-laws, passed in virtue of subsections 43, 45, 82 and 84 of section 89, a penalty of a fine, and in default of immediate payment of such fine and costs, an imprisonment for every day such infringement of the provisions of the said by-laws may continue; provided that such fine shall not exceed the sum of ten dollars for each day of such infringement and that the imprisonment shall not exceed ten days for every day such infringement shall last."

Proviso.

**21.** Section 125 of the said act is repealed and replaced 43-44 V., c. 62, s. 125, replaced.  
by the following :

“ 125. The town council shall have power, in order to secure the due execution of its by-laws, to impose penalties for each infringement of such by-laws, by a fine not exceeding the sum of one hundred dollars, and in default of immediate payment of such fine and costs, by imprisonment for a period not exceeding six months ; but in the body of such by-law, mention shall be made of the penalty imposed, specifying the amount of the fine and the term of imprisonment.” Penalties for infringement of by-laws. Proviso.

**22.** Every by-law authorizing a loan, increasing the public debt, granting a bonus or gratuity for encouraging the establishment of manufactures or voting aid in virtue of sections 227 and 229 of the town corporations general clauses act, shall impose a special annual tax sufficient to pay the interest and sinking fund yearly, but the sums imposed by such by-laws shall not exceed, in the aggregate, one eighth of a cent in the dollar on the assessed value of the taxable real estate of the town, over and above the tax of one half of a cent in the dollar, authorized by section 86 of the charter of the town. By-law authorizing loan must impose special tax for payment thereof.

**23.** The present act shall come into force on the day of its sanction. Act in force.

#### C A P . L X X V .

An Act to amend and consolidate the act of incorporation of the town of Longueuil, 37 Vict., ch. 49, and the act amending the same, 39 Vict., ch. 46.

[Assented to 30th June, 1881.]

**W**HEREAS it is expedient to amend and consolidate Preamble.  
the provisions of the act of incorporation of the town of Longueuil, 37 Vict., ch. 49 and the act amending the same, 39 Vict., ch. 46, and it is expedient to grant to the corporation more ample and better defined powers ; whereas also the corporation has prayed by its petition for the said amendments, and whereas it is advisable to grant the petition : Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

#### PRELIMINARY TITLE.

**1.** The acts, 37 Victoria, chapter 49, and 39 Victoria, 37 Vic., c. 49 and 39 Vic., c. 46, repealed.  
chapter 46, are repealed.

## CHAPTER I.

## CORPORATION.

Town of Longueuil, incorporated.

2. The inhabitants and rate payers of the town of Longueuil and their successors are and shall be a body corporate and politic, under the name of "The Town of Longueuil."

Existing by-laws, &c., to remain in force

2. All acts, orders, by-laws and resolutions, now in force, shall remain in force until they are amended, annulled or repealed by the council of the said town or by any other competent authority, and all notes, debentures and obligations whatever consented to, contracted or issued by the corporation or in its favor, up to the coming into force of this act, shall have the same force and effect as if this act had never been passed.

Corporation not to be considered as dissolved.

3. Nothing contained in the present act shall be construed to dissolve the corporation of the inhabitants of the town of Longueuil as now existing, and the present mayor and councillors, as well as the officers of the council, shall remain in office until they shall have been replaced under the present act.

## BOUNDARIES OF THE TOWN.

Boundaries of the town.

3. The town of Longueuil shall be bounded as follows: to the north-west side by the centre of the river St. Lawrence, to the north-east, partly by the lot number thirty-seven on the official plan and book of reference for the parish of Longueuil, and partly by the turnpike road of Longueuil and Chambly, to the south-east, partly by part of the said lot number 37 and the Gentilly road and partly by lots numbers 133, 134, 135, 136 and 137 on the said official plan and book of reference, and to the south-west, by the north-east line of lot number 307 of the said official plan and book of reference, being the old track of the Grand Trunk Railway of Canada.

## DIVISION INTO WARDS.

Division into wards.

4. The town shall be divided into three wards, which shall be respectively designated and known under the names of "east ward," "centre ward," and "west ward," and shall be bounded as follows, to wit:

East ward.

1. The "east ward" shall be bounded in front by the river St. Lawrence; to the north-east side and in depth by the limits of the town; and to the south-west by the middle of the road known as "Chemin de Chambly";

2. The "centre ward" shall be bounded in front by the Centre ward. river St. Lawrence; to the north-east side by the "east ward;" in depth by the limits of the town; and to the south-west by the middle of St. James' street;

3. The "west ward" shall be bounded in front by the West ward. river St. Lawrence; to the north-east side by the "centre ward;" in depth, and to the south-west side, by the limits of the said town.

## CHAPTER II.

### TOWN COUNCIL.

5. There shall be elected, from time to time, in the A mayor and six councillors to form the council. manner hereinafter mentioned, a proper person, who shall be and be called "the mayor of the town of Longueuil," and six fit persons, two for each ward, who shall be and be called the "councillors of the town of Longueuil," and such mayor and councillors, for the time being, shall form the council of the town,

### QUALIFICATION OF THE MAYOR AND OF THE COUNCILLORS.

6. No person shall be elected mayor of the town Qualification of mayor. of Longueuil, unless he is able to read and write, and unless he shall have been a resident householder in the town for six months preceeding such election, nor unless he be, at the time of the election, possessed as proprietor in his own name or in that of his wife, of real estate, within the limits of the town, of the value of one thousand dollars, after deducting all hypothecary debts affecting such real estate, at the time of election;

2. No person shall be elected councillor of the town Qualification of councillors. of Longueuil, unless he be able to read and write, and shall have been a resident householder in the town for six months preceeding such election, and unless he be possessed as proprietor, in his own name or in that of his wife, of real estate of the value of four hundred dollars, after deducting all hypothecary debts affecting such real estate, at the time of election.

3. The real estate on which the mayor or the councillors Value how determined. are qualified shall be entered on the valuation roll, then in force, and the value of such real estate shall be in all cases determined and fixed by the roll.

4. No person shall be eligible as mayor or councillor of Foreigners not eligible. the said town of Longueuil, unless he be a natural born



or naturalized subject of Her Majesty and of the full age of twenty one years.

#### DISQUALIFICATIONS.

Disqualifications.

7. The following persons shall not be eligible as mayor or councillor of the said town, nor exercise any such functions, to wit: minors, persons being in the holy orders, and ministers of any religious creed, members of the executive council, judges, sheriffs and clerks of any court of justice, the officers on full pay in Her Majesty's army and navy, the inn-keepers, the hotel-keepers or the persons being keepers of houses of public entertainment, being or having been such during the last twelve months, the persons accountable for the revenues of the town, their sureties or the persons receiving any pecuniary allowance from the town for their services, the contractors of the corporation, nor any member of any firm or company not incorporated, to whom the corporation shall have given a contract or undertaking whatsoever; provided that no person shall be ineligible to those offices, nor shall be rendered incapable of exercising any such functions from the fact of his being a shareholder in any incorporated company which may have with the town a contract, rendering a person incapable of holding such office.

Limitation of word "judge." 2 The word "judge," employed in this section, shall not apply to a justice of the peace or commissioner of small causes.

#### EXEMPTIONS.

Exemptions.

8. The following persons shall not be obliged to accept the office of mayor or councillor of the town, to wit: members of the senate, of the commons, of the executive council, and of the provincial legislature, practising physicians, surgeons or apothecaries, school-masters, persons over sixty years, and those who shall have fulfilled, during the year or during the two years next preceeding, the office of mayor or councillor of the town, or who shall have paid the penalty incurred for having refused to accept such office.

#### VACANCIES.

Vacancy in the office of mayor or councillor.

9. The office of mayor or councillor or councillors becomes vacant:

1. When the person holding that office is deceased or becomes insolvent;

2. If, at any time during the period in which he is to discharge such office, he becomes deprived of any of the qualifications, required to be elected mayor or councillor of the town, and mentioned in section seven of this act, or if he comes under one of the disqualifications, as to the exercise of these offices, mentioned in section eight of this act ;

3. When the person in office discontinues during two consecutive calendar months, or when he ceases completely to reside and to have his domicile within the limits of the town of Longueuil ;

4. When the person, who holds that office, except in the event of illness or infirmity, or for some other reasons deemed sufficient by the council, shall absent himself from the sittings of the council during two consecutive months, and the council shall have by resolution declared the seat vacant, before such person shall have taken it again ;

5. In the event of the annulling of the election, or refusal to accept, or of resignation of the office, if such resignation is accepted by a resolution of the council, or of the absence from the sittings of the council, by reason of illness or infirmity, during three consecutive months.

10. Any vacancy, which shall occur under the preceeding section, except the vacancy occurring by the election of a councillor as mayor, may be officially established by the town council, regularly assembled in general or special meeting, by means of a resolution adopted at such meeting by the council, declaring vacant the seat of the councillor, or of the mayor who shall or should have ceased to act as such councillor a mayor, under said section, and such vacancies shall be deemed to have existed only from the date on which such resolution was adopted.

New election in case of a vacancy.

### CHAPTER III.

#### ELECTIONS.

11. The municipal elections, to replace the members of the council whose term of office is expired, shall be held in the month of February in each year ; the partial elections, caused by a vacancy in the council, shall take place as soon as such vacancy shall occur. Public notice thereof shall be given at least eight days previous to such election, in the french and english languages, by notices posted up at or near the doors of a catholic church, and of a protestant

Municipal elections when held.  
Notice therefor.

church, and on the markets of the town ; and the said notice shall be signed by the mayor or the secretary treasurer of the town, and shall specify the day, place and hour upon which the nominations for the election shall take place.

Appointment  
of officers to  
preside over  
elections.

**12.** At a general or special meeting of the council, previous to the notice announcing any such election of the town, the council shall appoint a president of election for each ward in which such election is to take place, and the secretary treasurer of the council of the town shall be *ex officio* president for the election of the mayor ;

2. The presidents of election of councillors shall be chosen as much as possible amongst the councillors who shall not then go out of office, and at such elections, the mayor and the councillors going out of office shall not, in any case, be appointed presidents for the election of councillors for any ward ;

3. The presidents of election must know how to read and write ;

4. In the case a person appointed as president as aforesaid shall not be able to act as such, then such president shall be chosen by the majority of electors present.

Duty of officers  
presiding over  
the election to  
hold polls.

**13.** It shall be the duty of the presidents for the election of councillors in each ward of the town, to hold a poll for their respective wards, at the town hall, at the time and in the manner hereinafter prescribed, when there shall be a contestation for the election of councillor in their respective wards, or when required so to do by the president for the election of the mayor in case of contestation.

#### QUALIFICATION OF THE MUNICIPAL VOTERS.

Who shall vote  
at elections.

**14.** The following persons shall be entitled to vote at municipal elections of the said town ; every man of the age of twenty one actually possessor as proprietor in his own name or in that of his wife of real estate in the said town, entered in the valuation roll in force at the time of the completion of any list of municipal voters, made under the authority of this act, of the value of two hundred dollars or as tenant in his own name or in that of his wife of real estate, of an annual value of not less than twenty dollars, provided that his name is inscribed on the list of voters in force at the time of the election, and provided that the real estate or part of the real estate which such lessee or occupant occupies, as above mentioned, be entered on the valuation roll as of the value of not less than two hundred dollars ;

2. No person shall have the right of vote, unless he shall have, at least thirty days before such voting, paid his taxes, contributions, water rates and other dues, nor unless the property on which such elector is qualified shall be free, for at least thirty days of all municipal due as aforesaid, and whenever the tenant or occupant shall have paid any such municipal taxes he shall have the right and be entitled to deduct the amount by him thus paid from any rent by him due to the proprietor; and in case no rent should be due to the proprietor at that time, the said tenant shall, moreover, be subrogated to the privileges and rights of the town, in order to recover, from the said proprietor, the payment of any such municipal taxes;

3. No tenant or occupant shall exercise his right to vote at any municipal election, unless he shall have been a resident, as such tenant or occupant, in the town, for at least six months next preceding the day of voting for such election.

15. It shall be lawful for any candidate, at any such election of mayor or of councillor of the town, to require from the municipal voters, the production of the receipts or certificate of the secretary-treasurer, establishing the payment of such taxes and other assessments due as aforesaid, or in default of a receipt or certificate, to require an oath from the voter, that such taxes, assessments and dues are paid. Receipt may be required to be shown.

16. Each elector shall vote for the election of the mayor at the poll held for the ward in which he resides, and if he does not reside in the town he shall vote at the poll for which he is qualified which shall be assigned to him by the list. For the election of the councillors each elector shall vote at the poll of the ward in which he is qualified. Elector to vote at poll in ward for which he is qualified.

2. In case a municipal voter shall be qualified as such in more than one ward, he shall have the right to vote in every ward in which he shall be so qualified as such voter, in favor of the candidate for the office of councillor chosen for each for the said wards, and any such elector shall vote for the election of the mayor of the town only once, and at the poll held for the ward in which such elector shall then have and hold his residence; Elector qualified in more than one ward.

3 In case a person shall be in possession as proprietor or occupant in his own name or in that of his wife in more than one ward of the said town, of one or more lots, in each of said wards respectively, the value of which shall not come to the sum of two hundred dollars, if the collective value of all such lots together amounts to or ex- Other case.

ceeds the sum of two hundred dollars, such person shall have the right to vote for the election of the mayor of the town, and in that case such person shall vote at the poll which shall be assigned to him on the list of voters.

President of  
the election  
keeper of the  
peace.

**17.** Each president of an election shall be keeper of the peace from eight o'clock in the morning of the nomination day until ten o'clock in the morning of the day following, and, if the election of the mayor or of the councillors is contested, from eight o'clock in the morning of the day of polling until ten o'clock in the morning of the day next following the close of the poll.

Extent of  
jurisdiction.

**2.** The jurisdiction of every president of election, as keeper of the peace, shall extend throughout the town;

Power of president of elections :

**18.** The officer presiding at the election in any ward of the town, may, moreover, for the purpose of preserving peace and public order :

Swear in constables.

**1.** Swear in as many special constables as he deems necessary ;

Require assistance of justices of the peace and others.

**2.** Require the assistance of all justices of the peace, constables, and other persons residing in the town, by verbal or written order ;

Commit on view.

**3.** Commit on view to the custody of a constable or of any other person, for a period of not more than forty-eight hours, any one breaking the peace or disturbing public order ;

Cause offender to be imprisoned for limited time.

**4.** By a warrant under his hand cause such offender to be imprisoned in the common gaol of the district, or any house or other place of confinement established within the limits of the said town, for any period not exceeding ten days.

Nomination day fixed.

**19.** The first Wednesday of February in each year, or if that day is a non-juridical day, then the next following juridical day is fixed by this act as the nomination day for candidates to the offices of mayor and councillors to replace the members going out of office.

Nomination for councillors where held.

The places, where the nominations shall take place, shall be fixed by the council within the limits of each ward for the election of councillors.

For mayor where held.

The nomination for the election of the mayor shall take place at the City Hall

Proceedings on nomination day.

**20.** At ten o'clock in the forenoon of the day fixed for the nomination, the president of the election either of the mayor or of the councillors shall proceed to the place

where such nomination is to be held as aforesaid, and shall then and there require the electors then present to name the person or persons whom they wish to choose as mayor, or as councillors, as the case may be, and from ten to eleven o'clock, any two duly qualified electors of the town may openly and publicly address to the said president of the election of the mayor a demand or requisition in writing signed by such two electors and moreover by not less than eight other duly qualified electors of the town, whether present or not at such meeting, that the person by them named be elected mayor of the town, for the next ensuing term of the office of mayor, and, in the event of there being only one such demand or requisition made as aforesaid, or that all the demands and requisitions so made are for one and the same person, then the president of the election, after the expiration of the hour aforesaid, shall proclaim that person duly elected mayor of the town, for the term next ensuing of the office ; and within the same delay any two duly qualified electors in any ward of the said town, may, on the day aforesaid, address openly and publicly to the president of the election for such ward of the town, for the office of councillors in such ward, a demand or requisition in writing signed by such two electors and moreover by not less than eight other duly qualified electors of the town, whether present or not at the meeting that the person or persons, named by them, be elected as councillors, for the ward in which the petitioners are electors as aforesaid ; and if there be only one demand or requisition for the election of councillors in such ward of the town, or if all the requisitions made in the ward, be for the election of the same person or persons as councillors for the ward, then the president of the election for such ward of the town after the expiration of the hour aforesaid, shall proclaim the person or persons, named in the requisition or requisitions (as the case may, be) duly elected councillor or councillors for the said ward, for the next ensuing term of the offices ; and each and every such election made as aforesaid, without dissent shall be forthwith proclaimed by the person who shall have presided at each such nomination, and the said person shall moreover give to the persons, so elected mayor of the town, or councillors for any ward thereof, special notice of his or their election, within the three days next following the day of the nomination as aforesaid. Proclamation.

**21.** In case more than one person shall be put in nomination for the office of mayor, the president of said election, shall grant for each ward of the town respectively, a poll for the election of the said mayor, and Poll to be granted if more than one nominated for mayor.

the election shall be proceeded with in the manner hereinafter prescribed ; provided, however, that no person shall be voted for, or shall be elected, as mayor unless such person shall have been put in nomination as aforesaid.

Poll to be granted if more than one nominated for councillor.

**22.** In case more than one person shall be put in nomination for the offices of councillors a poll shall be granted for the election by the president of the election of such ward, and the said election shall be proceeded with in the manner hereafter prescribed ; provided however that no person shall be voted for at any such election or shall be elected as councillor, unless such person shall have been put in nomination as aforesaid.

Duty of president if election of mayor is contested.

**23.** In case of contestation for the election of the mayor, the president of the said election shall, the day next following the nomination day, give to each of the presidents of election for each ward, special notice in writing, that he has granted for each ward of the town, a poll for the election of the mayor thereof, which notice shall moreover mention the names of the several candidates, for the office of mayor, put into nomination the day before.

When and where polls held.

**24.** In all cases where polls are granted, each such poll shall be open at the town hall, at nine o'clock in the forenoon, on the Monday next ensuing the nomination day as aforesaid, and if that day is a non-juridical day the polls shall be open, at the same place and the same hour, on the first juridical day next ensuing, by the president of the election for each ward of the said town, if it be for the election of the mayor, or if the said mayor has been elected by acclamation on the nomination day, by the president of the election of a councillor or councillors for any ward of the said town. Each such poll shall be closed at four o'clock in the afternoon of the day in which it shall have been opened.

Poll clerk.

**25.** It shall be lawful for each president of the election, to have a poll clerk, whom he shall appoint in writing under his own signature, and to whom he shall administer the oath to truly, faithfully and to the best of his judgment and ability, perform his duties as such, which duties shall be assigned to him by the president of the election.

His payment.

**2.** Every such poll clerk shall be paid out of the funds of the town and shall be entitled to a fee of two dollars for each day that he shall be so employed.

Oath to be taken by president of election.

**26.** Each president of the election, shall, before acting in the premises, take before any justice of the peace, or before the secretary-treasurer, the following oath :

"I do hereby make oath that I will faithfully and impartially, to the best of my judgment and ability, perform my duties as president of the election of the mayor of the town of Longueuil (or of two or one municipal councillor for any ward thereof, as the case may be) : So help me God."

**27.** The president of the election, at the poll held for any ward of the town, shall enter or cause to be entered by his poll clerk, if one has been appointed, in a book kept in the manner hereinafter prescribed, and in the order in which they shall be given, the votes of the electors, by inscribing therein, in the same time, the name, surname and qualities of each of them, such book to contain at the head of as many separate columns, the name and surname of the candidate, or of each of the candidates put into nomination for being elected as mayor of the said town, or councillor or councillors for any ward thereof.

Registration  
of votes.

**28.** The president of the election for any ward of the said town, and in his absence, his poll clerk, shall have respectively the authority, and they are hereby required, when requested by any person duly qualified to vote at the election of the mayor, and at the election of the councillor or councillors in any ward of the said town to administer the following oath to any person tendering his vote at any such election, to wit :

President or  
clerk, shall  
administer  
oath to voters.

"You swear that you are subject of Her Majesty, that you are entitled to take part and to vote at this election, that all municipal taxes, assessments, water rates and other dues imposed upon your property or properties (or on the property or properties held by you as tenant or occupant,) due and payable previous to the thirty days next preceding this day, have been paid before such thirty days," (if the oath is taken by a tenant or occupant) "that you reside as tenant or occupant in the town of Longueuil since at least six months before this day, that it is your name which is entered on the list of the voters of the ward (east, centre or west, as the case may be,) of this town, that you have not received anything, nor has anything been promised to you either directly or indirectly to vote at this election, and that you have not before voted at this election, (for the mayor of the said town, or for a councillor for any ward thereof, as the case may be) : So help you God."

Form.

**29.** Whenever the president of the election for any ward of the said town shall not understand the language spoken by an elector, he shall appoint an interpreter, who, before acting, shall take before the president the oath to translate

Interpreter  
may be ap-  
pointed.



faithfully the oaths, declarations, affirmations, questions and answers, which the said president shall require to translate, respecting such election.

**30.** Each page of the poll book, shall be numbered in words, and countersigned by the president of the election who shall keep it, or by his poll clerk.

**31.** If an elector takes the oath required, or if he refuses to take such oath, or if objection is made to his vote, mention of each of these facts shall be made in the poll book, in the following terms : " sworn, " " refused, " " objected to, " as the case may be.

**32.** The president of the election for any ward of the said town, shall, at the close of the poll certify under his signature, the total number of votes given for each of the candidates.

**33.** At the close of the poll, after having prepared such certificates and annexed them to the poll book, the president of the election for any ward of the town shall declare elected councillors the candidates who shall have received the largest number of votes.

**34.** In case of an equal division of votes in favor of two or more of the candidates for the office of councillor for any ward of the town, the president of the election, at the poll at which such equal division of votes has been ascertained, shall, under a penalty of not less than fifty dollars, nor more than one hundred dollars, give his casting vote in favor of the candidate or candidates as he shall think fit.

**35.** Any president of an election for mayor, councillor or councillors, may if he is qualified as a municipal voter, vote at all municipal elections in which he does not act as president. He has a right to vote in the election over which he presides only in the cases specified in the preceding section. Nevertheless every president of election of councillor, may, if he is qualified, vote at the election of the mayor ;

**2.** Whenever the president, at an election for mayor or councillor or councillors, is called upon to vote under the authority of the preceding section he is obliged so to do even if he have not the required qualities of a municipal voter.

**36.** During the space of an hour, after the close of each poll, in case of contestation for the election of the mayor,

the president of each such poll shall transmit to the president for the election of the mayor, who, during the holding of the polls, shall be at the town-hall, a copy of the certificate by him prepared of his poll book under his signature, as mentioned in section thirty three, stating the total number of votes given at the poll where he shall have acted as president, for each of the candidates to the office of mayor of the town; and the president for the election of the mayor, after having received these certificates, shall himself ascertain the total number of votes given at the poll held for each of the wards of the said town, in favor of each of the candidates as mayor and shall declare elected mayor of the town of Longueuil, for the ensuing term of the office of mayor, such candidate for that office who shall have obtained the greatest number of votes;

2. In case of an equal division of votes in favor of two or more of the candidates for the office of mayor as aforesaid, the president for the election of mayor, shall, under a penalty of not less than fifty nor more than one hundred dollars, give his casting vote in favor of the candidate as he shall deem proper.

**37.** Within three days after the close of any poll, which shall have been held for the election of the mayor or of councillors for any ward of the town, the president of the election, shall give, to the candidate or candidates elected, notice of his or their election as mayor of the town, or as councillor or councillors for any ward of the town.

**38.** Within the five days next following the election, the presidents of election shall deposit in the office of the council to remain, among the records, the poll-books and other documents relating to the election, with a faithful return under their signature of their proceedings and every copy thereof certified by the secretary-treasurer shall be evidence in every court of justice.

**39.** The mayor of the town of Longueuil shall be elected for one year, and the councillors of the town for two years, except in the case provided by section forty-two;

2. The term of office for the mayor and councillors, shall expire the day upon which the first general or special meeting of the town council shall take place, after the general elections for the said town, at the opening of the said sitting.

Vacancies  
how filled.

**40.** In case of a vacancy in the office of mayor of the town, or of councillors for any ward thereof, the electors of the town shall proceed to a new election of a person to replace such mayor, or the electors of any ward of the town for which, one or the two offices of councillors shall have become vacant, shall proceed to a new election of one or two persons to replace such councillor or councillors; and any such election shall be proceeded with within one month after such vacancy or vacancies shall have been made known under the authority of section ten; and such election shall be proceeded with in the same manner as for the general elections; provided always that the council itself shall fix the nomination day and the day of the poll, in case one be granted for any such election.

Proviso.

Intermediate  
elections pro-  
vided for.

**41.** In case an election for mayor of the town occur in the interval between two annual general elections for mayor, the council shall appoint an officer to preside at such election and a deputy for each ward of the town, whose services shall be required by the president of the election, only in case of a contestation of such election by means of a notice given by the president to each of the deputies, informing them of the fact of such contestation, and indicating to them the names, surnames and qualities of the different candidates for the office of mayor; and the duties of such deputies shall be the same as those imposed, under the provisions of this act, on the different presidents of elections for councillors, in case of the contestation of the election for mayor, at any annual general election of mayor and councillors for such town provided that no deputy president shall in any manner be deprived of his vote at such election.

Term of office  
of mayor or  
councillor re-  
placing an-  
other.

**42.** Every mayor or councillor elected to replace another, shall remain in office for the remainder of the time for which his predecessor had been elected, and no longer; provided always that such mayor or councillor shall not have the right to continue to remain in office as aforesaid, if before the expiration of the term of office, of the person which he has replaced, he finds himself in the position or one of the positions provided for in the eighth section of this act.

Councillors in  
office shall  
cause the an-  
nual elections  
to be made in  
certain cases.

**43.** In case it shall at any time happen that an annual municipal election shall not be held, for any reason whatever, on the day when, it ought to have been held, and it shall be the duty of such members of the council, to meet again for the purpose of fixing a day as near as possible, for the holding of such annual municipal

election and for the appointment of the presidents of the election, and in that case, the public notices, shall be posted up at least four clear days before the election; and if, within fifteen days after the day on which such election ought to have been held, the council shall have neglected to appoint a day for the election, the members shall be liable to a penalty of twenty dollars each, and in the latter case the mayor of the town of Longueuil, or in his absence, the pro-mayor shall have power, and shall, under a penalty of not less than one hundred dollars, cause the said elections to be proceeded with, and for that purpose, shall appoint the presidents of election, give the required public notices, fix the nomination day for the election of the mayor and councillors of the town, and the places where such nominations shall take place for the elections of the mayor and councillors, for the several wards of the town, and in a like manner he shall fix the polling day for the elections, in case polls shall be granted for such elections, and generally he shall exercise all the powers vested in the town council, according to the provisions of this act, in relation to the general elections of the said town; provided always, that the public notices required for such elections, so convened and fixed by the mayor or the pro-mayor of the town, be posted up at least four clear days before such elections.

## CHAPTER IV.

### CONTESTATIONS OF ELECTIONS.

44. Every election for mayor or councillor may be con- <sup>Contestations</sup>  
tested by a candidate or by ten municipal electors for <sup>of elections.</sup>  
cause of violence, corruption, fraud or incapacity or for  
want of observance of the requisite formalities.

If the election of the Mayor and of the councillors <sup>Before what</sup>  
or of one or more of them be contested, such contestation <sup>court brought.</sup>  
shall be decided by the Superior Court for Lower Canada,  
sitting in and for the district of Montreal.

2. Every such election may be so contested by one or <sup>By whom</sup>  
more of the candidates for the offices of mayor or council- <sup>brought.</sup>  
lor or at least by five of the electors of the said town, if the  
election of the mayor be contested, and by the same  
number of electors of any ward, when the election of a  
councillor be contested.

3. The said contestation shall be brought before the <sup>How brought.</sup>  
court, by a petition setting forth in a clear manner the  
facts and grounds of such contestation.

Copy to be served upon mayor or councillor whose election is contested.

4. A copy of the petition, with a notice stating the day on which the said petition will be presented shall be first duly served upon the mayor or councillor, whose election is contested, at least eight clear days before the day on which the petition shall be presented; but no such petition shall be received after fifteen days from the return of the proceedings of the election and of the deposit of the documents; nor shall any such petition be received, unless security for costs be previously to its presentation given by the petitioners, in the presence of a judge of the superior court, or of the prothonotary, who shall decide as to the sufficiency of the said security.

Evidence.

5. If the court be of opinion that the facts and grounds set forth in the petition are sufficient in law to void the election, it shall order proof to be adduced, if proof be necessary, and the parties interested to be heard, on the nearest day which it shall deem expedient, and shall proceed in a summary manner to hear and decide the contestation; and the evidence may be taken down in writing, or given orally in whole or in part, as the court shall order; and the trial of such contestation shall be had in a summary manner, until final judgment upon the merits of the same shall have been pronounced.

Judgment.

6. The court or the judge may, on such contestation, confirm the election or declare the same to be null and void, or declare another person to have been duly elected, and may, in either case, award costs of the said contestation to or against either party; which costs shall be taxed and recovered in the ordinary manner; and the court may order its judgment to be served upon the secretary-treasurer of the council, at the expense of the party condemned.

Costs.

Objections on the ground of irregularities, &c.

7. If any defects or irregularities in the formalities prescribed for the election be set forth in any such petition, as a ground of contestation, the court may admit or reject them, according as such defect or irregularity may or may not have materially affected the election.

## CHAPTER V.

### SESSIONS OF THE COUNCIL.

First session.

45. The first session of the council, after every general election of the said town, shall take place on the second Monday next following the day of the nomination of the mayor and councillors of the said town, at seven o'clock in the evening, and in case that day be a holiday, then

such session shall take place on the first juridical day ensuing, at the hour above mentioned; and such session shall be a general session.

2. At such first session, the mayor and councillors newly elected, shall respectively take the following oath, before a justice of the peace or before a councillor who shall have not gone out of office in this year :

" I , do solemnly swear faithfully to Form.  
" fulfil the duties of mayor (or councillor) of the town of  
" Longueuil, to the best of my judgment and ability : So  
" help me God. "

3. The swearing of each member of the council, and the certificate thereof, shall be entered and signed in the minute book of the council.

4. The members, absent for reasonable causes, shall take the oath above-mentioned, in the manner hereinbefore prescribed, at the first session of the council, at which they shall be present.

5. Four members of the council shall constitute a quorum.

46. The town council shall meet in general session on the first Wednesday in each month. In case that day be a holiday, such session shall take place on the first juridical day next following. The town council, at such sessions, may proceed to the transactions of the affairs of the town ;

2. The council shall hold their sittings in the town hall, or in any other place which shall have been set apart for that purpose, by resolution, either temporarily or permanently.

47. It shall be lawful for the mayor, whenever he shall deem it advisable, to call a special meeting. He shall be bound to call such meeting, whenever required so to do by at least two councillors, and in that case, the requisition of such councillors shall be made in writing, signed by them, and shall, moreover, contain the subjects to be taken into consideration.

2. If the Mayor, after being so required, does not call such meeting, or if he is absent, in that case, two councillors at least shall have the power to call such special meeting.

48. The mayor or the councillors, as the case may be, who shall call such special meeting, shall transmit to

such meeting,  
to give order  
to that effect  
to secretary-  
treasurer.

the secretary-treasurer a written order to that effect, stating the day and hour and the subjects to be taken into consideration, and, on the reception of that order, the secretary-treasurer shall give a special notice of the calling of such special meeting to all the members of the council. Such notice shall be signified, at least twenty-four hours before the opening of such meeting.

Notice to men-  
tion subjects  
for considera-  
tion.

2. The notice, calling a special meeting, shall mention the matters to be taken into consideration, and no other matter or measure shall be discussed or adopted thereat.

General or  
special ses-  
sions may be  
adjourned.

49. Any general or special session may be adjourned by the council to any other hour of the same day, or to a subsequent day, without it being necessary to give notice of such adjournment to the members who were not present, excepting in the case of the following section.

Two members  
may adjourn  
any meeting  
when there is  
no quorum.

50. Two members at least of the council, when there is not a quorum present, may adjourn the session at the expiration of one hour from the time it was established that there was no quorum. The hour of the adjournment, and the names of the members of the council present, must be inscribed in the minutes of the sitting, in the book of the proceedings of the council; and these minutes shall be signed by one of the members present and by the secretary-treasurer.

Notice of ad-  
journment.

2. In this case, a special notice of the adjournment shall be given in the manner and within the delay prescribed for the notice calling a special meeting, by the secretary-treasurer to the members of the council. The service of this notice must be established, at the resumption of the adjourned session, in the same manner as that of the notice convening a special session, and the absence of service of such notice shall render every proceeding adopted at such part of the adjourned session void.

Punishment  
for disturbance  
during sitting.

51. Whoever shall be guilty of serious disturbance or violence during the sittings, either by action or by words, or in any other manner whatsoever, shall incur a fine not exceeding sixty dollars, or an imprisonment not exceeding fifteen days, in default of payment of the fine, and may in addition be expelled from the council room on the order of the chairman of the council.

Meetings to be  
public, excep-  
tion.

52. All meetings of the town council shall be public, excepting when the said council shall have to enquire into the conduct of any members of their own body, or when they shall have to open or take into consideration tenders asked for any public work whatever; in which

cases it shall be lawful for the said council to sit with closed doors.

**53.** The council, at its first meeting after every general election, shall appoint a pro-mayor, who shall replace the mayor when absent, and who shall be vested with his powers.

If the person, appointed to the office of pro-mayor, ceases to act as councillor, before the expiration of his period of office as such councillor, or if he tenders his resignation as such pro-mayor, the council shall proceed as soon as possible to the appointment of a new pro-mayor.

**54.** The mayor, if he be present, shall preside at the meetings of the council, shall maintain order thereat, and shall have the right to express his opinion, but not to vote, on all questions brought before the council; provided always, that when the councillors, after having voted on a question, shall be found equally divided, then, and in that case only, the mayor shall decide the question by his casting vote.

2. If the mayor be not present at a general or special meeting of the council, such meeting shall be presided over by the pro-mayor, or in case of absence of both the mayor and pro-mayor, by a member of the council chosen amongst the councillors present, and in case of an equal division for the selection of the president, such president shall be selected by lot amongst the councillors then present.

3. The pro-mayor or the chairman of a special meeting, appointed by the councillors when both the mayor and the pro-mayor are absent, shall have respectively the right to vote as a councillor, and shall, moreover, have a casting vote, whenever the votes of the councillors are equally divided on any question whatever.

**55.** The mayor and every councillor who, without reasonable cause, shall not be present at the general, special or adjourned meetings of the council, shall incur a fine of not more than twenty dollars, for each time he shall not be so present at any such meeting.

2. On application made to the council by a councillor or by at least ten municipal voters, relating to the property qualification of the mayor or of a councillor present, such mayor or councillor shall, within the fifteen days from the date of such demand, file a solemn declaration as to his qualification, containing a description of the real estate on which his qualification is based, and deposit it in the office



of the council, and in default of his so doing within a reasonable time his seat shall become vacant.

Council may  
appoint com-  
mittees.

**56.** The council may appoint committees, composed of as many of its members as it shall judge convenient, and may delegate to them its powers respecting the examination of any question, the management of any business or particular kind of business, or for the execution of certain duties.

Committees to  
report and  
how.

**2.** These committees shall render account of their labors, and their decisions, by reports, signed by their chairman or by a majority of their members.

Any one may  
be heard in  
person or by  
attorney.

**57.** Every one who shall be entitled to be heard before the council or any of its committees, may be so heard in person, or by an attorney, or by any other person acting on his behalf, whether authorized by power of attorney; he may also produce and examine witnesses.

Council or  
committees  
may:

**58.** The council or its committees, on every question or matter pending before them, shall have the power:

Take commu-  
nication of  
documents.

**1.** To take communication of all documents or writings produced in evidence, and hear all the interested parties;

Summon wit-  
nesses.

**2.** To summon any person residing in the said town;

Examine par-  
ties and their  
witnesses  
under oath.

**3.** To examine under oath the parties and their witnesses and administer to them an oath or affirmation by one of their members.

Penalty for  
default to ap-  
pear when  
summoned.

**59.** If any one, so summoned before the council, or any of its committees, fails without just cause to appear at the time and place mentioned in the summons, when compensation of fifty cents per day shall have been paid or offered to him, for his time, he shall incur a penalty of not less than ten, nor more than twenty dollars, or, in default of payment, an imprisonment not exceeding fifteen days.

Minutes of  
meetings to be  
kept.

**60.** The minutes of the proceedings of any meeting whatever of the town council, entered in a register kept for that purpose, shall be signed by the mayor or by the member of the council who shall have presided and countersigned by the secretary-treasurer.

Hour for gene-  
ral meetings  
of council.

**61.** The general meetings of the council shall begin at seven o'clock in the evening, unless another hour shall be fixed by resolution.

Special meet-  
ings.

**2.** The hour of the special meetings of the said council shall be fixed by the notice calling such meetings.

3. The meetings, held in virtue of any adjourned meeting, shall begin at the hour fixed by the resolution ordering such adjournment. For adjourned meetings.

4. If the notice, calling any special meeting or the resolution ordering the adjournment of any meeting, do not mention the hour at which it shall begin, in that case, every such session shall begin at seven o'clock in the evening. If no hour fixed in notice for special meetings.

62. The mayor and the councillors shall, during the period of their office, be justices of the peace for the town. Mayor and councillors justices of the peace.

63. Every appointment or removal of the officers of the town council shall be made by resolution; special notice of such appointment or removal shall be given without delay, by the secretary-treasurer, to the person who is referred to therein. Appointment and removal of officers.

64. Any certificate attesting that an oath of office has been taken by any municipal officer, shall be filed without delay, in the office of the council, by the person who has taken this oath. Certificate of oath taken by officers.

65. No act, duty, writing or proceeding, executed in his official capacity, by a member or officer of the council, who does not hold such office legally, can be set aside solely from his holding such office illegally. Acts, &c., by member or officer of the council valid.

2. Every member or officer of the Council holding his office illegally, shall be liable to a fine of not more than forty dollars; and any person suing or desiring to sue such officer or councillor, under the authority of the present sub-section of this section, shall be obliged to furnish sufficient security for the costs as in a controverted election case. Penalty upon member or officer illegally holding office. Security for costs to be furnished by complainant in suit for penalty.

66. Every officer of the council, who shall have ceased to discharge the duties of his office, shall be bound to deliver, within eight days next following, at the office of the council, or to his successor, all the moneys, keys, books, papers, insignia, documents and archives, belonging to the office. Duties of officer ceasing to exercise functions.

67. If any officer of the council dies, or absents himself from the province, his representatives shall be bound, within eight days from his death or departure, to deliver to his successor, or at the office of the council, the moneys, keys, books, papers, insignia, documents and archives belonging to the office so held by him. Duties of representatives in case of death or absence of an officer.

Legal recourse  
of council  
against its  
officers.

**68.** The corporation of the town shall be entitled, in addition to any other legal recourse, to a right of action to recover, by process of revendication, from such officer or his representative, or from any other person whomsoever, having in his possession all such moneys, keys, books, papers, insignia, documents and archives, with costs, damages and interest.

Coercive im-  
prisonment if  
demanded.

**2.** Every judgment, rendered in any such action, may be enforced by coercive imprisonment against the person condemned, whenever such imprisonment is demanded by the action.

Penalties for  
refusing to  
obey orders of  
officers of the  
council.

**69.** Every person, who shall refuse or neglect to obey any lawful order of any officer of the council, given in virtue of the provisions of this act, or of the by-laws of the town, shall incur for the first offence, a penalty of not more than five dollars, and for every subsequent infraction such penalty shall be of not more than ten dollars, saving cases otherwise provided for.

Penalty for  
hindering  
officers of  
council.

**70.** Every person who shall hinder any officer of the council, or shall molest him, or shall attempt to hinder or molest him in the exercise of his functions, or who shall encourage, advise or incite any other person to commit any such acts, shall incur for the first offence, a penalty of not more than ten dollars, or in default of payment an imprisonment of not more than thirty days, and for every subsequent infraction, such penalty shall not exceed twenty dollars, and the imprisonment in such case in default of payment shall be of not more than forty days, and such person shall be moreover responsible for all damages caused by him towards those who shall have sustained them.

Corporation  
responsible for  
acts of its  
officers.

**71.** The corporation of the town shall be responsible for the acts of the officers of the council, in the execution of the functions in which they are employed, and also for all damages resulting from their refusal to discharge or negligence in discharging their duties, saving its recourse against such officers.

## CHAPTER VI

### MUNICIPAL OFFICES.

Persons bound  
to accept mu-  
nicipal offices.

**72.** Whosoever shall be capable of discharging any municipal office, and shall not be exempted from so doing,

shall be bound to discharge such office, if he is thereunto, appointed.

No one, however, shall be bound to accept or to continue the discharge of the office of secretary-treasurer.

**73.** The following persons shall not be appointed to, nor shall continue to fill municipal offices :

Persons incapable of discharging municipal offices.

1. Minors ;
2. Persons in holy orders, and the ministers of any religious creed ;
3. Members of the privy council ;
4. The judges of the court of Queen's bench, of the superior court, and of the court of vice-admiralty, district or police magistrates, and sheriffs ;
5. Officers on full pay of Her Majesty's army or navy, and the officers or men of the provincial police force ;
6. Keepers of taverns, hotels or houses of public entertainment, being such, or having acted as such within the twelve preceding months.

**74.** Whoever shall have been appointed to any municipal office, for which he shall become disqualified during his exercise of such office, shall be bound to give, without delay, at the office of the town council, a notice alleging the reasons of his disqualification ;

Officer becoming disqualified shall give notice to council.

2. Until such notice shall be given, such person shall be deemed to have continued in the exercise of such office, and shall be liable to all penalties, prosecutions and other actions set forth in this act.

Until notice given he shall be deemed to continue in office.

**75.** If the disqualification of a person appointed to a municipal office or holding the same is established, the council may, by resolution, declare the office of such person vacant.

Proceedings of council if disqualification notorious.

**76.** The following persons shall not be bound to accept any municipal office under the council :

Exemptions.

1. Members of the senate, of the house of commons, of the executive council, and of the provincial legislature ;
2. All civil functionaries, the employees of the federal and provincial legislatures, and the officers of the militia staff ;
3. Advocates, notaries, provincial land-surveyors, physicians, apothecaries and teachers engaged in their respective professions ;

4. Licensed pilots and persons engaged in navigation ;

5. Persons over sixty years of age ;

6. Gaolers and keepers of houses of confinement or correction, or of reformatories ;

7. All persons employed on iron or wooden railways ;

8. Firemen and engineers of steam vessels and of manufacturing, moved by steam.

Persons actually in office.

77. Any person actually engaged in an office under the said town council may, while he is discharging the duties of such office, refuse to accept any other office under the said town council.

Persons having paid penalty for refusal to accept.

78. Any person who shall have paid a penalty for refusal to accept any municipal office, under the council, shall be exempt from filling any office whatsoever, under the council, during the period or the remaining part of the period for which he had been appointed.

Officer becoming exempt to notify council.

79. Any person, who shall have been appointed to a municipal office from which he is exempt, or who while filling any office shall become exempt, and who shall desire to avail himself of such exemption, shall be bound to file in the office of the council, a special notice to that effect, within the fifteen days following the notification of his appointment, or upon the day when he shall become exempt from filling such office ;

Default of notice.

2. In default of his so doing, he can no longer claim his exemption.

## CHAPTER VII.

### MUNICIPAL OFFICERS.

Secretary-treasurer to be appointed.

80. The council, at its first session which shall follow the general election, shall appoint a secretary-treasurer.

Two officers may be appointed.

2. The council may name, to fill this office, two officers, one of whom shall be the clerk, and the other the treasurer, and the respective duties, powers and functions of such two officers shall be determined by the council ;

Assistants may be appointed by such officers.

3. Each of such officers may appoint, over his signature, an assistant to aid or replace him in the exercise of his office, and nothing shall prevent such two officers, or each of them, from appointing the other as his assistant.

**81.** The secretary-treasurer shall be the custodier of all the books, registers and archives of the council ; he shall attend all sessions, and shall enter and countersign all the proceedings and deliberations in a register kept for that purpose, to be called " the minute-book," and he shall be bound, during the days and hours of office, to give communication of all his and papers documents to the mayor, councillors, officers of the town council, and to all persons interested therein ; and every copy or extract of all document or paper certified by such secretary treasurer, under the seal of the said corporation, shall be evidence before any Court of Justice.

Duties of  
secretary-  
treasurer.

**82.** The secretary-treasurer shall furnish for the amount fixed by the council two sureties, whose names shall be approved by a resolution of the council, before the security bond shall be received. Such sureties shall be jointly and severally bound, together with the secretary-treasurer, and their obligation shall extend to the payment of all sums of money for which the secretary-treasurer may, at any time, be accountable to the corporation, including principal, interest and costs, as well as the penalties and damages to which he shall become liable in the exercise of his office.

Security to be  
furnished.

Obligation of  
sureties.

**2.** The council may accept, in place of security, certain companies incorporated for that purpose.

Guarantee po-  
licy in lieu of  
personal secu-  
rity.

**83.** Such security bond shall be made by an authentic deed, and accepted by the mayor ; it shall bear hypothec for the whole or for a part of the amount at the will of the council. The council may also accept a surety on simple personal guarantee.

Bond.

**84.** The secretary-treasurer shall receive all moneys due and payable to the corporation, and he shall pay, on a written order of the mayor, all sums due by the corporation not exceeding ten dollars, and on a resolution of the council, all sums exceeding such amount.

Secretary-  
treasurer  
to receive and  
pay all mo-  
neys.

**85.** He shall keep, in a manner which, shall be prescribed from time to time by the council, books of account, and he shall keep in his office the vouchers for all expenditure.

To keep books  
of account.

**86.** He shall render to the council at its general session in the months of July and January, every year, a detailed account of his receipts and expenditure, till the last day of the month next preceding each of the said months of July and January in each year. He shall at the same time,

To render ac-  
counts in July  
and January.

make out a statement comparing with the corresponding statement of the preceding year.

Liable to  
action to ac-  
count.

87. The secretary-treasurer, or any other person who shall have filled the said office, may be sued, in an action to account, by the corporation, before any tribunal of competent jurisdiction, and in any such action he may be condemned to pay or having failed to render such account; and every such judgment shall carry with it coercive imprisonment, if the same has been demanded in such action to account.

Assistant-  
secretary-  
treasurer may  
be appointed.

88. It shall be lawful for the secretary-treasurer, from time to time, to appoint under his hand, an "assistant-secretary-treasurer," who may perform all the duties of the office of secretary-treasurer, with the same rights, powers and privileges, and under the same obligations and penalties as the secretary-treasurer himself, except as regards giving security.

Duties and  
powers.

2. In the case of a vacancy in the office of the secretary-treasurer, the assistant-secretary-treasurer shall continue to perform the duties of the office until the vacancy is filled;

3. The assistant-secretary-treasurer shall enter into office immediately after having been appointed; he may be removed or superseded at will by the secretary-treasurer;

4. In the performance of his functions, he shall act under the responsibility of the secretary-treasurer who shall have appointed him and under that of the sureties of such secretary-treasurer.

Other duties of  
secretary-  
treasurer.

89. The secretary-treasurer shall have power to administer any of the oaths required by the provisions of this act.

## CHAPTER VIII.

### LIST OF MUNICIPAL VOTERS.

List of muni-  
cipal voters to  
be prepared  
and when.

90. Within the thirty days next following that upon which the general valuation roll of the town shall have finally taken force and effect, as hereinafter provided for, the secretary-treasurer shall be bound to make out and prepare, for each ward an alphabetical list of the names of the persons, who, according to the roll, shall appear to be duly qualified as municipal voters for each ward as owners, tenants or occupants, under the authority of the fourteenth

section, without prejudice nevertheless to the provisions contained in section sixteen of this Act, and the secretary-treasurer shall, within the same day, certify the correctness of the lists, under oath taken before the mayor or, in his absence, before any justice of the peace, and he shall deposit such lists in the office of the town council of the day following that on which he certified their correctness. <sup>When deposited.</sup>

2. In all cases when, for any reason whatever, the electoral lists or any of them, shall not have been made out and prepared in the manner and delay above prescribed, the town council may order the secretary-treasurer to make them, within a further delay to be fixed by the said council. <sup>Further delay in certain cases.</sup>

91. Within two juridical days next following that of the deposit of the alphabetical lists in the office of the town council, the secretary-treasurer shall give public notice of such deposit, in the manner prescribed for the publication of the by-laws; such notice shall moreover mention that the said list shall remain posted up in the office, for the information and examination of the interested parties, during fifteen days next following that upon which these lists shall have been deposited. <sup>Public notice of deposit of list. List to remain posted for inspection.</sup>

92. During the said fifteen days, every person who shall desire to have his name added on any voters' list, or every elector who shall desire to have a name added or erased from such lists, shall prefer his request in writing and under his signature, stating the ward or wards to which he belongs, or to which belongs the person whose name he shall desire to be erased, and shall cause such request to be delivered to the secretary-treasurer on or before the last day of the delay hereinabove granted to prefer such request, and in case such last day be a non-juridical day, the said request shall be made no later than the next following juridical day. <sup>Changes in list when required.</sup>

#### REVISION OF THE LIST.

93. At seven o'clock in the evening of the last day the voters' list is to remain posted up in the office of the town council, a board of revisors which shall be composed of three councillors specially appointed by the council for that purpose, at its general session in the month of June, and if such general session has not been held, at a special session to be held within fifteen days from the time of this general session, shall proceed to the revision and amendment, if required, of the voters' lists. <sup>Board of revisors to examine list and when.</sup>



Quorum of  
board.

2. Two members of the board of revisors shall form a quorum and may proceed to the revision of the said list.

Chairman.

3. Such councillor, as the other members of the board shall choose at the meeting, shall preside thereat: and if the members of the board of revisors cannot agree as to the choice, the chairman shall be designated by lot.

Proceedings  
before board.

94. At the first sitting of the members of the board of revisors, they shall take communication of the complaints and shall order that special notices be given to the persons to whom such complaints relate. They shall adjourn their proceedings for a delay of not more than twelve days, and shall direct their secretary to give to each person

Notice to parties  
interested.

whom they shall designate, a special notice informing him of the existence and nature of the complaint filed against him or in his favor, with respect to the list of municipal electors of the town, and of the day, hour and place where the board of revisors shall commence the examination of such list. Every special notice to be given in virtue of this section, shall be served on the person entitled thereto, at least three clear days before the day on which the board of revisors shall resume its proceedings. Such notices shall be served by any bailiff or police constable of the town to the persons residing in the town, and to the persons not residing in the said town through the post by lodging a copy of such notice in the post office of the locality, under sealed and registered envelope, directed to such absent proprietor or rate payer, or his agent if one has been appointed by him. As to the persons whose address is not known, such notice shall be posted up in the office of the secretary-treasurer.

May 'examine  
on oath.

2. The board of revisors shall have the power to examine upon oath all persons respecting the claims, and all matters connected with the revision of the said lists;

Decision of the  
board.

3. The board, after having heard the evidence, shall be bound and to make the necessary additions or erasures respecting the claims to them submitted; they shall have also the power to correct all errors, made by the secretary-treasurer in the preparation of the lists, in order to render them conformable to the valuation roll; and these lists, so revised and settled, shall be signed by the person presiding the board, countersigned by the secretary and sealed with the town seal;

Time lists re-  
main in force.

4. The said lists shall remain in force till the time when a new list of the municipal voters shall have finally come into force;

**95.** No person shall have the right to have his vote registered, unless the name of such person shall be inscribed on the list of the voters for the ward in which such person is qualified. No person to vote unless his name is on the list.

2. For annual, general, or partial elections for mayor and councillors, the secretary-treasurer shall, within the fifteen days immediately following the last day allowed to municipal voters to qualify themselves as such, as regards payment of their municipal taxes, or assessments or other municipal rates, be obliged to make a copy of the list for each ward, and he shall strike out from this copy the name of any voter who, according to the collection roll of such town, then in force, shall not have, on or before the said day, paid his municipal taxes and water rates, and he shall likewise strike out from the list the names of all tenants or occupants, who, although they have, on or before such day, paid all their municipal taxes or water rates, shall appear on the said list as occupying a property, or part of the property, the municipal taxes or water rates due, shall not have been paid according to such roll, on or before such day, in accordance with the provisions of this act, and such copies of lists so corrected shall be sent to the various presidents of election for each ward of the town before the day of the nomination; Notice to parties to qualify. Copy of list of voters. Transmission thereof.

3. The secretary-treasurer shall certify under oath to be taken before the mayor, or any councillor, or any justice of the peace for the district of Montreal, the accuracy of the corrections made by him on the copies of the said lists, and such copies shall alone be used for the municipal elections; Corrections certified.

4. Provided that any municipal elector whose name has been struck, and who shall present himself to vote, being the bearer of receipts or official certificates, stating that all his municipal taxes and water rates have been paid at the proper time, or that those affecting the properties which he occupies as tenant or occupant and his own have been paid in proper time, shall have the right to vote by taking the oath provided by section twentyeight. Provide: as to elector producing receipts.

## CHAPTER IX.

### AUDITORS AND ASSESSORS.

**96.** At the first general meeting after such annual municipal election, two persons conversant with book-keeping Auditors to be appointed.

**Oath required.** shall be appointed by the council, to be auditors of the accounts of the council; and such auditors shall take the following oath, before the mayor of the town, or any one of the justices of the peace for the district of Montreal;

**Form of oath.** "I, \_\_\_\_\_, having been appointed to the office of auditor of the town of Longueuil, do hereby swear, that I will faithfully perform the duties thereof, according to the best of my judgment and ability: So help me God."

**To report.** **97.** The auditors shall be bound to make a financial report of the business for the twelve months expired the thirtieth of June preceding, or on or before the first of August in each year.

**Their duties.** **98.** It shall be the duty of the auditors to examine, approve, or disapprove of, or report upon all accounts which may be entered in the books of the said council or concerning the said council, and which may relate to any matter or thing under the control of or within the jurisdiction of the said town council, and be thus unsettled.

#### ASSESSORS.

**Assessors to be appointed.** **99.** The said town council shall appoint every year, at its general session in the month of May, or at a previous session, three assessors, whom the said council shall have the power, to replace when needed, and it shall be the duty of said assessors to make, between the fifteenth day of May and the twenty-fifth day of June, in each year, and in the manner prescribed by the council, the valuation of the rateable and non-rateable properties in the town, and that, distinctly as to each category, according to the real value thereof, and it shall be their duty to enter on the said roll the names of the tenants and occupants and the amount by them paid for rent and also the annual value of their occupation. They shall further inscribe in the said roll all other information required by the council.

**Oath required.** **100.** Every person, so appointed, as assessor shall be bound, before proceeding to the valuation, to take the following oath before the mayor, or before a councillor, or any justice of the peace for the district of Montreal, to wit:

**Form of oath.** "I, \_\_\_\_\_, having been appointed one of the assessors of the town of Longueuil, do solemnly swear, that I will diligently and honestly discharge the duties of that office, to the best of my judgment and ability: So help me God."

**101.** The assessors, who shall be appointed shall be <sup>Qualifications</sup> proprietors of real estate in the town of the value of at <sup>of assessors.</sup> least four hundred dollars, and at least one of the valuator appointed shall be able to read and write.

**102.** In order to be assisted in the exercise of their duties, <sup>Assessors may</sup> the assessors shall require the services of the secretary- <sup>require assistance</sup> treasurer, and if the secretary-treasurer is prevented from <sup>tance of secretary-treasurer</sup> so doing, of any other person they may deem proper, and <sup>or clerk.</sup> the said secretary-treasurer or such other person shall be entitled to a sum of two dollars a day, payable by the council for every day during which he shall be so employed by the assessors, who shall be entitled to a like sum for every day during which they shall be so employed.

**103.** When the assessors shall have made and completed <sup>Deposit, examination and</sup> the valuation roll, they shall deposit the same with the <sup>correction of</sup> secretary-treasurer, and notice of such deposit shall be <sup>assessment</sup> given within two juridical days next following by the <sup>roll.</sup> secretary-treasurer, in the same manner as for the deposit of the lists of the municipal voters; such notice shall further state that the valuation roll shall remain, during the period of twenty days, from the date of the deposit, open for inspection ;

2. During that period, any rate-payer may give notice in <sup>Appeal of</sup> writing to the secretary-treasurer of his intention to ap- <sup>persons to</sup> <sup>council.</sup> <sup>peal to the council, complaining of the valuation roll, such</sup> notice shall state clearly the subject of such complaint; and the council shall proceed in the following manner to homologate the roll, and to the hearing of complaints made relating to it ;

3. At its first general meeting after the twenty days <sup>Proceedings of</sup> <sup>council on</sup> <sup>appeal.</sup> above mentioned, the council shall hear the complaints relating to such roll. If, from the nature of such complaints, or any of them the council deems it necessary that special notices be given to the persons to whom such complaints relate, such council shall adjourn its proceedings on such homologation for a period not exceeding twelve days, and shall direct its secretary-treasurer to give each person whom it shall designate a special notice informing him of the existence and nature of the complaint filed against him, or in his favor, relating to the valuation roll, and of the place, day and hour when such council shall commence the examination and revision of such roll. The proceedings in connection with the service of such notice shall be the same as those provided for, with relation to the examination and revision of the list of municipal electors ;

Decision of  
council.

4. The said council, after having heard the parties and their witnesses under oath, which shall be administered by the mayor, pro-mayor or presiding councillor, shall confirm or alter the valuation roll, as shall seem just ;

Right of assess-  
sors to be  
heard.

5. The assessors, shall have the right to be heard, if they so desire ;

Revision of the  
roll.

6. The council shall, at all events, proceed to the revision, amendment, if such be required, and homologation of the valuation roll, whether the same be demanded or not, at its general session next following the expiration of the twenty days above mentioned, or at an adjourned meeting of such session, and they shall have the right to rectify, all involuntary defects in the wording of the roll ;

Closing of the  
roll.

7. When the council shall have so revised the valuation roll, it shall be declared closed for the current year, provided also, that if any omission shall have been made, in the valuation roll, the council may, at any time, order the assessors to value any property so omitted, in order to its being added to the roll.

Other officers  
may be ap-  
pointed.

**104** The council shall have power to appoint, when it shall deem proper, all other officers as may be necessary to carry into effect the provisions of this act, or any order or by-law enacted by the council ; such officers shall remain in office, during the time mentioned in the resolution council appointing them, or until removed by the council.

## CHAPTER X.

### BY-LAWS.

When by-laws  
come into  
force.

**105.** The by-laws of the town shall come into force and shall take effect, if not otherwise prescribed in the provisions contained in such by-laws, fifteen days after their promulgation, except always in the case of appeal as hereinafter provided, and in any other case otherwise provided for by the provisions of this act.

By-laws to be  
promulgated  
fifteen days  
before coming  
into force.

**106.** The by-laws of the town which, in consequence of provisions of their own or of this act, shall only come into force at some fixed period, shall be promulgated at least fifteen days before such period.

By-laws  
amended or  
confirmed in  
appeal to come  
into force fif-  
teen days after  
promulgation.

**107.** Every by-law passed by the council, and or confirmed in appeal shall come into force fifteen days after its promulgation.

**108.** The original of every municipal by-law, to be authentic, shall be signed by the mayor, the pro-mayor or by the councillor presiding the council at the time such by-law was passed, as the case may be, and countersigned by the secretary-treasurer ;

Original by-law to be signed by mayor or pro-mayor to be authentic.

**2.** If it has been necessary to submit the by-law for the approval of the municipal electors, before it shall come into force, and it has received such approval, a certificate under the signature of the mayor, or in his absence, of the pro-mayor and of the secretary-treasurer, certifying to each of these facts, shall accompany and form part of the original of such by-law.

If by-law has been approved by electors, certificate to that effect must accompany any original.

**109.** The by-laws of the town, which shall have been submitted to the approval of the municipal electors, before they came into force and effect, shall only be amended or repealed by another by-law approved of in the same manner.

By-laws approved by electors how amended or repealed.

**110.** The amendment or repeal by the council, of any by-law, shall be made only by a by-law for that purpose, and before proposing any such by-law, a notice of motion shall be given at a previous meeting.

How by-laws are amended or repealed.

**111.** The by-laws shall be promulgated by posting the public notice hereinafter mentioned.

By-laws how promulgated, &c.

**112.** The by-laws shall be published within fifteen days after the passing thereof, or after their final approbation in case they shall have been submitted for approval to the municipal electors by a public notice mentioning the object of the by-law, the date of the passing thereof, and the place where the interested parties may have communication thereof ;

Publication of by-laws by notice.

**2.** Such notice shall be given under the signature of the secretary-treasurer ;

Notice to be signed.

**3.** A copy of such notice shall be posted upon or near one of the doors of the town hall ;

Copy to be posted on town hall.

**4.** In case the town hall shall be destroyed, the council shall fix by a resolution for that purpose, the place where shall be made the posting up of the public notices which ought to have been made at the building so destroyed ;

If town hall destroyed to be posted elsewhere.

**5.** If the by-law is approved of by the municipal electors, the notice of publication shall also mention that such formality has been observed and the dates when it was complied with.

If by-laws approved by electors, notice to mention such fact.

By-laws may  
be published  
in newspapers.

**113.** It shall be further lawful for the council to order any of its by-laws to be published in one or more newspapers published in the city of Montreal, or which may be hereafter published within the limits of the said town of Longueuil.

Original of by-  
law to be re-  
gistered and  
how.

**2.** The original of every by-law shall be enregistered at length, in French or in English, in a special book intituled : " Book of by-laws of the council of the town of Longueuil," and this entry shall be signed by the mayor or pro-mayor and countersigned by the secretary-treasurer.

Copy of notice  
to be also en-  
tered.

**3.** The secretary-treasurer shall be held, moreover, to enter in this book, after the by-law, a copy in French or in English, duly certified by him, of the notice of publication of each by-law inscribed in the book, and a copy likewise certified of the certificate of the posting up of such notice.

#### SETTING ASIDE OF BY-LAWS.

Petition to set  
aside by-laws.

**114.** Any municipal elector may, by a petition presented to the Superior Court of Lower Canada, sitting in and for the district of Montreal, demand and obtain, on the ground of illegality, or informality the setting aside of any by-law of the said town or of any part thereof.

When to be  
presented.

**115.** The petition shall be presented within one month from the date of the coming into force of the by-law, and shall set forth in a clear and precise manner, the reasons alleged in support of the demand, and shall be accompanied by a certified copy of the by-law impugned, if such copy could be obtained.

Copy of by-  
laws to be an-  
nexed.

**2.** If such copy could not be obtained, the court, upon application being made, shall order the secretary-treasurer or any person in whose custody such by-law may be, to produce such copy.

When and  
where petition  
to be served.

**116.** Such petition shall be served at the office of the said town council, eight days at least, before it shall be presented.

Security for  
costs to be  
furnished.

**117.** The petitioner shall, previously to the presentation of such petition, give security for costs before a judge of the superior court, or the prothonotary of the court, who shall decide as to the sufficiency of such security.

Petition to be  
presented in  
court or to  
judge.

**118.** Such petition shall be presented in open court or to the judge together with the returns and the preliminary services.

**119.** If the court, after having heard the parties, is of opinion that the facts and grounds set forth in the petition are sufficient in law to have the by-law declared null in whole or in part, the court shall order proof to be adduced, and the parties interested to be heard, on the nearest day it shall deem the most convenient. Proof and hearing to be ordered.

**120.** The court shall proceed in a summary manner to hear the parties and to render judgment on the merits of such petition; the evidence may be taken orally or in writing, in whole or in part, as the court shall order. Proceedings.

**121.** The court may condemn either of the parties to pay the costs of the contestation, such costs to be taxed and recovered in the ordinary manner; the court may also order that its judgment be served upon the secretary-treasurer of the council, at the expense of the party condemned to pay the costs. Costs.

**122.** The court may, by its judgment, confirm or annul such by-law, in whole or in part, and such judgment shall be published by the secretary-treasurer in the manner prescribed for the ordinary promulgation of the by-laws within the fifteen days next following the service which shall be made, on him of a copy of the judgment. Judgment. Publication thereof.

**123.** Every procès-verbal, roll, resolution, or other order of the council, may be quashed by the Superior Court of the district or by any judge of said court, by reason of any illegality, in the same manner, within the same delay and with the same effect as a by-law of the council. Procès-verbal, &c., may also be quashed.

**124.** The corporation of the town shall alone be responsible for the damages and rights of action proceeding from the putting into force of such by-law or of such part of a by-law, passed by its council, and the quashing or setting aside of which shall have been so obtained. Corporation alone responsible for damages.

#### OTHER POWERS OF THE COUNCIL.

**125.** In addition to the powers granted to them by this act, the council may exercise those which are granted to municipal councils of towns and villages by the municipal code, and which are not inconsistent with the provisions of this act. Other powers of council.

**126.** One or more of the subjects mentioned in the provisions of this act may be provided for in the same by-law. One or more subjects may be provided for, by same by-law.

2. In case several subjects, provided for in the same by-law, shall require the approval of the municipal electors, One approval by electors.



one approval, given by the municipal electors, shall suffice for the entire by-law.

Formalities to be complied with.

**127.** The council, in the exercise of their powers, in addition to the formalities required by the provisions of this act, shall comply with all those prescribed by the by-laws in force.

Power to make by-laws.

**128.** It shall be lawful for the council, from time to time, to make such by-laws as may seem to them necessary or expedient, for the internal government of the town, for the improvement of the place, for the good order, and for the good repair, cleansing, and draining of the streets, public squares, and vacant or occupied lots; for the prevention or suppression of all nuisances whatsoever, for the maintenance and preservation of the public health, and generally for all purposes connected with, or affecting the internal management and government of the town

## CHAPTER XI.

### TAXES.

Power to impose taxes.

**129.** In order to raise the necessary funds to meet the expenses and to provide for the several necessary public improvements in the town, the council shall be authorized to levy annually, on a simple resolution for that purpose, on persons and on movable and immovable properties in the said town, the taxes hereinafter designated, that is to say:

On immovables.

1. On all lands, town lots or parts of town lots, and on all buildings and erections thereon, a sum not exceeding one cent in the dollar on the real value, as entered on the valuation roll of the town ;

On merchandise.

2. On all stocks-in-trade or goods kept by merchants or traders, and exposed for the sale on shelves in shops, in yards, or kept in vaults or store-houses, a tax of one-half per cent on the estimated average value of such stock-in-trade or goods ;

On tenants.

3. On each tenant paying rent in the town, an annual sum equivalent to two cents in the dollar on the amount of his rent and on each occupant a sum of two cents in the dollar on the annual value of his occupation ;

On dogs.

4. On every dog, kept by persons residing in the town, an annual sum of one dollar ; and on every bitch likewise kept by any such person, an annual sum of two dollars.

**130.** It shall be lawful for the council to regulate, by a by-law or by-laws, and to impose and levy in the manner and at the time which shall be prescribed by such by-law or by-laws, certain annual taxes or duties not exceeding twenty dollars each person or taxes on the proprietors or occupants of houses of public entertainment, taverns, hotels, coffee-houses, eating-houses, and on all retailers of spirituous liquors; On hotel-keepers.

**131.** It shall also be lawful for the council to regulate, by a by-law or by-laws, and to impose and to levy certain annual duties or taxes on all proprietors, possessors, agents and managers of billiards-rooms, ten-pin alleys or other places for games or amusements of a public nature of any kind whatsoever, not exceeding twenty-five dollars; and on all grocers, bakers, butchers, hawkers, hucksters, livery-stable keepers, and on all traders, and manufacturers, and their agents; and proprietors or keepers of wood-yards, or coal-yards, and slaughter-houses in the town, not exceeding ten dollars; and on all money changers or exchange brokers, pawn-brokers and their agents; and on all bankers and banks, and all agents of bankers and banks; and on all insurance companies or their agents, not exceeding fifty dollars; and generally on all commerce, manufactures, callings, arts, trades and professions, which have been or which may be exercised in or introduced into the town, whether the same be or be not herein mentioned, not exceeding five dollars; and every person in the said town, practising the profession of an advocate, physician, land-surveyor, or of a notary or any other liberal profession, within the limits of the town, shall be assessed at the sum of two dollars annually; and the council may appoint, in addition to the assessors, a person or persons to make the roll of the persons and movable property mentioned in the different parts of this section. On other trades, &c.

## CHAPTER XII.

### ATTRIBUTIONS OF THE COUNCIL.

**132.** The office of the council shall be that which is occupied by the secretary-treasurer in his official capacity and shall be held within the limits of the municipality. Office of secretary-treasurer.

**133.** Documents produced as exhibits and filed in the office of the council, or with its officers, shall be returned on receipt to the persons who produced the same, whenever they shall require them, provided always that the Documents produced to be returned.

question in relation to which they were produced has been decided.

Services on  
council when  
made.

**134.** Every service, which should be made at the office of the council, may be made with equal validity on the secretary-treasurer personally, out of such office.

By-laws, &c.,  
to :

**135.** The council shall have the right to make, amend, or repeal or in whole or in part, from time to time, by-laws, upon any of the subjects following :

Regulate pro-  
ceedings  
before council.

**136.** To regulate the manner in which debates are to be carried on, and order and decorum preserved during the sittings of the council or of the committees.

Fix time and  
duration of  
sessions.

**137.** To determine the period of the ordinary sessions of the council, in addition to those of the first Wednesday of each month, and to fix the number of days such sessions may last.

Order reading  
of by-laws  
before pass-  
ing.

**138.** To order that the municipal by-laws, before the passing thereof, be read two or three times, either on the same or on different days.

Define duties  
of officers of  
council.

**139.** To define the duties, not defined by this act, of the officers of the council.

Assist in con-  
structing, &c.,  
road, &c., by  
granting, &c.,  
money.

**140.** To assist by money, granted or lent, in the construction, repair or maintenance of any road leading to the municipality, or of any bridge or public work, under the direction of the corporation of any other municipality.

Aid in con-  
struction of  
bridge, &c.

**141.** To aid in the construction of any bridge, causeway, pier, wharf, slide, macadamized or paved road, railroad, or other public works, situated in whole or in part within the municipality or in its vicinity, undertaken and built by any incorporated company, or by the provincial government.

Hold stock in  
telegraph com-  
panies.

**142.** To subscribe for stock in any company organized to build telegraph lines useful to the town.

Compel re-  
moval of snow,  
&c.

**143.** To compel all proprietors or occupants of houses or other buildings erected on the public street, to remove the snow and ice from the roofs of such buildings or edifices.

Grant rewards  
for meritorious  
conduct at  
fires.

**144.** To grant rewards, in money or otherwise, to any person who performs a meritorious action at a fire, or who saves or endeavors to save any one from drowning or from other serious accident.

**145.** To provide for the wants of the family of any person who loses his life at a fire, or while saving or endeavoring to save any one from a serious accident. Provide for families of any one losing life at fire.

**146.** To establish and maintain poor-houses, houses of refuge, or other establishments for the support and relief of the poor and destitute ; and to aid charitable institutions established in the town or its neighborhood. Establish poor-houses, &c.

**147.** To offer and give rewards for the discovery and arrest of persons who have committed criminal offences. Offer rewards, &c., for discovering criminals.

**148.** To prevent cock-fights, dog-fights, and every other cruel amusement ; and punish whoever takes part in or is present at them. Prevent cock-fights, &c.

**149.** To prevent the making deposits of or of leaving within the municipality, or in the waters which bound the same, substances or matters from whence issue noxious gases or odors, such as dead bodies, coal oil, and to regulate the mode of making the deposits of these substances or matters. Prevent deposit of noxious and other matters.

**150.** To oblige the owners or occupants of all groceries, cellars, manufactories, tanneries, or other unhealthy and fetid places, to keep them clean and render them wholesome. Compel owners, &c., of unhealthy places to keep them clean.

**151.** For the opening of new streets in the said town, as may, from time to time, be required, and upon such conditions as the council shall deem proper, or to close any street in the town, if the council thinks proper or useful, saving all recourse in damages, if any there, be to all parties interested. Concession of lots and opening and closing of new streets.

**152.** To establish one or more market-places and to enlarge the same ; Market places.

**2.** For determining and regulating the duties of the clerks of the markets, and of all persons they may deem proper to employ to superintend the market ; and for letting the stalls and other places for selling upon and about the market places ; for fixing and determining the duties to be paid by any person selling or offering for sale on any of the markets, any provisions or produce whatever ; and for regulating the conduct of all such persons in selling. Regulating markets.

**8.** For regulating and placing all vehicles in which any articles shall be exposed for sale on the said market or markets ; Regulating vehicles on markets.

**Trees.**

**153.** To compel proprietors to plant and maintain trees in good order on the front of their properties and determine what kind of trees; and in case such trees shall get dry, or shall be cut down, broken or completely destroyed in any manner whatsoever, to plant in proper season other trees instead of those so destroyed, and to impose such penalty which the said council shall deem advisable, not exceeding twenty five dollars, against all persons pulling out, cutting down, damaging or destroying in any manner whatever such trees, or advising or inciting whomsoever to pull out, cut down, damage or destroy the said trees.

**Sale elsewhere than on markets.**

**154.** For preventing persons, bringing articles of any kind into the town, from selling or exposing them for sale in any other place than the market or markets, and to regulate the sale of the said articles.

**Public weigh-houses.**

**155.** For the establishment and maintenance of public weigh-houses, and for the management of the said weigh-houses.

**Obstructions in streets.**

**156.** For preventing obstructions of any nature whatsoever in the streets.

**Sale in streets.**

**157.** For preventing the retailing and sale on the public streets and highways of any merchandize or produce whatsoever.

**Sale of spirituous liquors.**

**158.** For restraining, regulating or prohibiting the sale of any spirituous, alcoholic or intoxicating liquor.

**Regulating taverns.**

**159.** For regulating and governing shop-keepers, tavern-keepers, and persons selling liquors by retail, in whatever places such liquors may be sold, in such manner as they may deem proper to prevent drunkenness.

**Sale of liquors to children,**

**160.** For preventing the sale of any intoxicating beverage to any child, apprentice or domestic.

**Immoderate driving.**

**161.** For preventing the driving of vehicles at an immoderate pace in the town, and riding on horse-back or on velocipedes, or passing in any other carriages, on the sidewalks, and the barbarous treatment of horses or other beasts, such as beating them excessively in order to oblige them to draw loads or burthens of too great a weight.

**Cruelty to animals.****Sale of bread.**

**162.** For regulating, fixing and determining the weight and quality of bread or other produce sold or offered for sale within the limits of the town, and to determine the

duties of the officer or officers to be appointed by the town council, to weigh and examine such bread or other produce.

**163.** To prevent the keeping of gaming-houses, places <sup>Gaming houses.</sup> for gambling, or any description of houses of ill-fame, and all kinds of games of chance, in the town.

**164.** To establish as many public pounds as the said <sup>Public pounds.</sup> council shall deem expedient to open, for the impounding of animals of any kind which may be running at large in the town, and to establish a tariff of the fines and duties which shall be paid to public pounds.

**165.** To create and establish, a police force in the town, <sup>Police force.</sup> and to determine its duties which shall not be specially provided for by the provisions of this act.

**166.** To compel the proprietors of all lands and real <sup>Fencing lands.</sup> property within the town, their agents or representatives, to fence the same ; and to regulate the height, description and material of every such enclosure.

**167.** To compel the proprietors or occupants of lots <sup>Drainage.</sup> of land in the town, having stagnant or filthy water upon them, to drain or raise such lands, so that the neighbors may not be incommoded, nor the public health endangered thereby ; and, in the event of the proprietors of such lands being unknown, or having no representative or agent in the town, it shall be lawful for the said council to order the lands to be drained, or raised, or to fence in and enclose them at their cost ; and the council shall have the like power, if the proprietors or occupiers of such land are too poor, or are unknown or refuse to drain, raise or fence in the same ; and, in every such case, the sum expended by the council, shall remain as a special privilege with the same rank as municipal taxes.

**168.** To oblige proprietors or occupants of houses in <sup>Removal of</sup> the said town, to remove from the streets all encroach- <sup>obstructions.</sup> ments or obstructions of any sort.

**169.** To compel proprietors or occupants of lots in <sup>Removal of</sup> the town, to remove, in the delay to be fixed by by- <sup>snow from</sup> law, the snow during the winter, from the sidewalks front- <sup>sidewalks.</sup> ing such lots and to keep in repair in all seasons of the year, one-half of the width of the part of the street on which such lot may front, and the council shall have the power to have such work done, and to exact the cost thereof from any person in default.

Removal of  
old walls, &c.

**170.** To cause to be pulled down, demolished, removed, and carried away when necessary, all old walls, chimneys or buildings of any description that may be in a state of ruin, and to determine the time and manner in which the same shall be pulled down, demolished, removed or carried away, and by whom the expenses thereof shall be borne.

Width and  
levelling of  
streets.

**171.** For regulating the width of streets; for regulating and altering the line and height or level of any street or sidewalk in the town; provided, that if any person shall suffer real damage by the widening, lengthening, dressing the lines, or altering the level of any street, such damage shall be paid to such person, after having been assessed by arbitrators, if any of the parties shall require.

Taxation for  
drainage.

**172.** For assessing the proprietors of real estate, situate on any of the streets, or on any part thereof, for such sum as shall be deemed necessary for making or repairing any common sewer in any of the streets, or in any determined portion of such streets, in the manner which shall be specified and fixed by the by-laws, and for regulating the manner in which such assessment shall be collected and levied; provided always that the council shall not be authorized to assess the proprietors in any street, or any part thereof, for making or repairing such sewers, unless one-third in number of the proprietors of such street, or of any determined part thereof, shall have prayed for such undertaking, and called for such assessment; provided also that it shall be lawful for the council to aid in the construction of such undertaking in a ratio of not more than one quarter of the total cost thereof.

Water supply.

**173.** To provide for the establishing and maintaining of aqueducts, public wells or reservoirs to supply the town with water, and make by-laws for the protection and management of such aqueducts, public wells or reservoirs, for preventing public water from being soiled or wasted uselessly or contrary to such by-laws; for restricting the use of the same as circumstances shall require, in the opinion of the said council; for forbidding any person to give, or allow any persons to take water when the council has taken it away from them.

Water rates.

**174.** When the water rates shall not be sufficient for paying the interest on the sums expended for establishing or building such aqueducts, and for creating a sinking fund, to assess in the manner and at the time provided on section two hundred and forty of this act, all taxable real estate in such town at an annual special tax not exceeding three-fourths of a cent in the dollar of their assessed value

of the real estate; provided the said corporation shall be bound, on demand, to convey the water opposite any property on which there is a building, situated at a distance not exceeding one hundred and eighty feet from the point where water-pipes have been previously laid down, and above the annual special tax, to provide for the payment by, all persons occupying houses or lodgings for which the council shall have conveyed water or caused it to be conveyed, of a water-rate based on such tariff or scale as the said council may deem expedient: provided always, that the council shall have the right to oblige every person to pay the water-rate whether they use the water or not, as soon as the council shall have notified such person by a verbal or written notice, given by the secretary-treasurer or by any police constable in the town, that it has conveyed, at the cost of the corporation, the water to the house occupied by such person, to a distance of at least ten feet within the line of the street; if the building erected on such property is at an equal or greater distance from the line of such street, and it shall be lawful for such council to exact from the proprietor, tenant, sub-tenant, or occupant, the payment of the water-rate, in case a dwelling house or shop, is occupied by several tenants, sub-tenants or occupants, who would be deprived of the use of the water through the proprietor refusing or neglecting to give to each tenant, sub-tenant or occupant a distinct water pipe; provided the tenant, sub-tenant, or occupant, who shall be obliged by such council to pay the compensation, shall have the right to be reimbursed by the proprietor and to deduct for that purpose an amount equal to the water-rate by him so paid from and out of the rent that he may then or will hereafter owe the proprietor; and it shall, moreover, be lawful for the said council to make special arrangements with interested parties, to supply water to any person without the limits of the town, provided such persons shall conform themselves to the by-laws concerning the management of the said aqueducts, and also to supply water for the use of steam engines, breweries, distilleries, tanneries, manufactories, mills, livery-stables, hotels, or other special cases.

**175.** All annual special taxes or water rates which the council may impose and establish in virtue of the preceding section shall be collected and levied, in the manner hereinafter prescribed for the collection of the general taxes, observing however that for the payment of the water-rate the council can only call on persons using or who are supposed to use the water, without prejudice to what is provided with respect to the collection of the water-rate, in the preceding section, as to tenants, sub-tenants or oc- Collection of water rates.



cupants, deprived of the use of the water by the fact of the proprietor refusing or neglecting to give each of them a distinct and separate pipe.

**Stoppage of water.**

**176.** It shall be lawful for the council to stop the water supply from a person refusing or neglecting to pay the annual special tax, or the compensation for the use of water, or any other tax due to the corporation, and from any person allowing the water to go to waste, and using the same contrary to the by-laws of the town, or refusing to admit, as hereinafter provided, within his house, or upon his property, the officers appointed by the council for the management and supervision of the aqueducts, and such person, shall remain, nevertheless, responsible for the arrears of taxes and water rates and be bound to pay the same, and such person shall also be bound to pay any such annual special tax and water rates, becoming due thereafter as if he had used the water; and the council shall not be responsible for the quantity of water to be supplied, and no person shall, by reason of the insufficiency of the water, refuse to pay such annual special tax, or such compensation.

**Compelling proprietors, &c., to allow works to be performed on their property.**

**177.** The council may compel the proprietors or occupants of such lands or properties, within or without the said town, to allow all necessary works to be made upon their properties, saving indemnity for actual damages caused to such lands or properties; and the council may appoint such officers as they shall think proper, for the management of such aqueducts, and such officers shall have the right to enter into any house or building whatsoever, or upon any property, within and without the town, with a view of ascertaining whether the public water is wasted or not, and whether the by-laws of the council relative to the aqueducts are duly put into operation, and it shall be the duty of the proprietors or occupants of any such house, building or property, to allow said officers to visit such house, building or property, under the penalty of being deprived of the use of said water as long as such proprietor or occupant shall not allow or shall prevent such visit by the officers, and further under a penalty not exceeding twenty dollars, and in default of payment an imprisonment not exceeding one month.

**Power respecting water supply may be transferred.**

**178.** It shall be lawful for the council to transfer by a by-law to that effect, their rights and powers, concerning the supply of water for the town, to any person or company who shall consent to take charge thereof, provided that such person or company shall not exceed the rates to

be levied upon the persons bound to take water, which rates the town council shall fix by this by-law.

**179.** For assessing, at the request of the majority of the citizens residing in any of the streets of the town or in any special portion thereof, or on any of the public squares of the town, the real estate occupied or possessed in any such street or part thereof, or on any such public square, for such sums as may be necessary to meet the expenses of sweeping, watering and keeping clean such street or portion thereof, or such public square, and for removing the snow from any such street or special part thereof, and from any such public square, and this, according to the assessed value of the real estate. Taxation of certain localities for local purposes.

**180.** To assess, over and above all other rates especially established by this act, all the citizens of the town, to meet the expenses of any indemnity which the council might be obliged to pay to persons in the town, whose houses or buildings of any description might be destroyed or damaged by any riot or tumultuous meeting; and if the council shall neglect or refuse, within six months after such destruction or damages caused to any property in the town, to pay a reasonable indemnity, to be established by arbitrators, if one of the parties shall so desire, then the corporation shall be liable to be sued before any court of justice in this province, for the recovery of such damages. Taxation to pay damages, &c.

**181.** For fixing the place for the erection, in the town, of gas-works, tanneries, candle or soap manufactures, and of all other manufactures or machines moved by steam or otherwise, and for regulating the construction of the same. Places for manufactories.

**182.** For establishing a board of health, and investing them with all the privileges, power and authority necessary for the fulfilment of the duties entrusted to them, or for acquiring every useful information on the progress or general effects of all contagious diseases, or for making such regulations as such board of health shall deem necessary for preserving the citizens of the town from any contagious diseases, or for diminishing the effects or the danger thereof Board of health.

**183.** For regulating the construction, dimensions or height of chimneys, above the roofs, or even in certain cases above the neighboring houses and buildings. Chimneys.

**184.** For defraying out of the funds of town any expenses that the council shall deem necessary to incur for the purchase of fire-engines or apparatus of any kind Fire-engines.

to be used at fires, or for taking such means as shall appear to them more effective for preventing accidents by fire, or arresting the progress thereof.

Depredations  
at fire.

**185.** For preventing thefts and depredations which may be committed at any fire in the town.

Investigation  
into causes of  
fire.

**186.** For making, authorizing or requiring to be made after each fire in the town, an inquiry into the cause and origin of such fire.

Sweeping of  
chimneys.

**187.** For regulating the manner in which and the periods of the year when chimneys shall be swept, and for granting licenses to such number of chimney-sweeps as the council shall think proper to employ, and for obliging all proprietors, tenants or occupants of houses in the town to allow their chimneys to be swept by such licensed chimney-sweeps; and for fixing rates to be paid to the corporation or to such licensed chimney-sweeps, and for imposing a penalty of not more than five dollars, on all persons who shall refuse to allow their chimneys to be swept.

Ashes and  
lime.

**188.** For regulating the manner in which ashes and quick lime shall be kept in the town, and for preventing the inhabitants of the town from carrying fire in the streets without necessary precaution, from making a fire in any street, from going from their houses to their yards and out-buildings, and entering therein with lights not enclosed in lanterns; and generally for making such regulations as they may deem necessary for preventing or diminishing accidents by fire.

Persons present  
at fires.

**189.** For regulating the conduct of all persons present at any fire in the town; for obliging idle persons to assist in extinguishing the fire, or in saving effects which may be in danger, and for obliging all the inhabitants of the said town to keep at all times upon and in their houses, ladders, fire-buckets, battering rams, and fire-hooks, in order the more easily to check the progress of fire.

Assisting persons  
wounded,  
&c., at fires.

**190.** For defraying out of the funds of the town any expense which the council shall deem expedient to incur, in aiding or assisting any person in their employ, who shall have received any wound or contracted any disease at any fire in the town; or in assisting or providing for the family of any person in their employ who shall have perished at any fire; or in bestowing and distributing rewards in money or otherwise upon persons who shall have been particularly useful or zealous at any fire in the town.

**191.** For vesting in such members of the council, or in the fire inspectors, or either of them, to be designated in such by-laws, the power of ordering to be demolished, during any fire, any houses, buildings, out-houses or fences, which might serve as fuel to the fire, and endanger the property of the other inhabitants of the town, saving the obligation of paying to the proprietors of the buildings so demolished, the damage which they may have suffered to the amount which shall be agreed upon between such proprietors and the council, or in case of contestation, to the amount which shall be fixed by an arbitration chosen by the interested parties. Demolishing buildings at fires.

**192.** For appointing all such officers as the council shall deem necessary for carrying into execution the by-laws to be passed by them in relation to accidents by fire; for prescribing their duties and powers, and providing for their remuneration if they think fit, out of the funds of the town. Appointing fire officers.

**193.** For authorizing the formation and organization of one or more companies of firemen or sappers, and for determining the duties of the members of such companies. Firemen.

**194.** For authorizing such officers, as the council shall think fit to appoint for that purpose, to visit and examine at suitable times and hours, that is to say, between nine o'clock in the morning and four o'clock in the afternoon, either the inside or the outside of all houses and buildings of any description, within the town, for the purpose of ascertaining whether the by-laws passed by the said council, under the authority of this section, are regularly observed; and for obliging all proprietors, or occupants of houses in the town, to admit all officers of the corporation for the purposes aforesaid. Fire inspectors.

**195.** For regulating the building of hog-sties and privies; for regulating the places where such hog-sties and privies shall be built; for obliging all persons to clean their stables, hog-sties, out-houses, privies and yards, at such times and in such manner as the council shall deem expedient; for preventing deposits being made of substances or matters exhaling gas or infect odours in the town, or for regulating the manner in which such deposits shall be made. By-laws for hog-sties, &c.

**196.** For preventing owners of dogs from allowing them to go free through the town, or for determining under what conditions they may be so allowed, and for authorizing the killing of all dogs found in contravention with the by-laws of the council. Dogs.

Theatres and  
circuses, &c.

**197.** For regulating the manner in which shall be kept theatres, circuses, menageries or other like exhibitions, and submitting the same to a license or duty, and any duty imposed by any by-law made under this section, may be levied, if not paid on demand, on all goods and chattels, even on those usually exempt for seizure, found in possession of any person connected with such theatre, circus, menagerie, or exhibition, under a warrant of attachment signed by the mayor or by a justice of the peace of the town, and to be executed *instantly* without any other preliminary formality; and for prohibiting any representation or exhibition which might injure public safety or morality.

Bathing, &c.,  
in open air.

**198.** For preventing persons from bathing in sight of the public, and for imposing upon any person contravening the provisions of this section, a fine not exceeding twenty dollars, over and above costs, and in default of payment an imprisonment of not more than thirty days.

Police stations  
and lock-up.

**199.** For establishing, within the town, one or more houses of confinement, police stations or other houses of confinement, for the safe-keeping of any persons arrested for any infringement to law or to any by-law of the council, until they may be brought before the mayor, or any councillor or justice of the peace for the district, or conveyed to gaol, if there be reason therefor, after their conviction.

Water-courses  
and ditches.

**200.** For causing to be opened, deepened, widened, covered, and properly maintained all boundary ditches, common ditches, or all water-courses common to several lands, whether such lands are situated within the limits of the town, as they shall deem necessary for the easier draining of any land situate within the town, and for regulating when, in what manner, and by and at whose cost such works shall be made; and, in case the said council shall think it more advisable to cause the said works to be made at the common expense of the interested parties, they may assess the owners of all lands, drained by such ditches or water-courses to such sums as shall have been required for that purpose, and that, in proportion to the assessed value of such lands, or the length of such ditches or water-courses upon such lands; and for regulating the mode of collecting and levying such assessments; and the council may appoint an inspector of water-courses, regulate his duties, and impose penalties, not exceeding twenty dollars, and in default of payment an imprisonment not exceeding one month, upon any person obstructing, or allowing any one to obstruct such

Inspectors of.

ditches or water-courses, or refusing to make or to allow to be made all works ordered by the inspector, under the said by-laws; provided that it shall be lawful for the council to assume, for a period of time fixed by a by-law passed for that purpose, all the works connected with such water-courses and ditches and cause them to be made at their own expense, and under their responsibility, if they think it advisable.

**201.** For preventing or regulating the building of slaughter-houses, which may become public nuisances, or causing such slaughter-houses already existing in the town, to be removed.

**202.** For the granting of licenses to carters, owners or drivers of public vehicles for hire, in and for the town, and for the good government of the owners or drivers thereof, and for establishing rules and by-laws in respect of carts, cabs, calashes, carriages or other public vehicles of hire, in and for the town, and also for establishing a tariff of rates therefor, and for imposing a fine or penalty on any person who after having hired, engaged or employed carters in the town, shall neglect or refuse to pay them for their services at the rates established by the said tariff, and on any carter, proprietor and conductor of public vehicles, who shall exact in any manner whatsoever, a larger amount than allowed by the tariff, and to force any carter, owner and driver of public vehicles, by means of penalties fixed by by-laws of the town for that purpose, to grant their services to any person who shall require such services, at the rate fixed.

**203.** To impose an annual tax, not exceeding five dollars, on all proprietors or possessors of horses or vehicles owned for pleasure, for use or business purposes.

**204.** For imposing an annual tax, not exceeding fifty dollars, on all persons owning livery stables or leasing horses or vehicles for hire, within the limits of the town.

**205.** For providing for the lighting of the town in such manner as shall be deemed proper; for protecting all pipes, lamps or other things necessary for such purpose; also to provide for the establishment, maintenance and protection of one or more fire alarm telegraphs; for compelling all proprietors or occupants of any house, building or land within the town, to allow the laying of such necessary pipes, telegraph lines, electric wires, lamps and posts in such houses or on such lands, reserving actual

damages, if any there be ; and for punishing any person breaking, destroying, impairing or putting out, without authority, or attempting or aiding, advising or inciting whomsoever to break, destroy, impair or put out the said pipes, telegraph lines, electric wires, posts or lamps.

Dividing town  
into lots and  
numbering  
same.

**206.** For compelling all owners or tenants to allow numbers to be posted on their houses, or on such lots as well as the names or numbers of the streets and avenues of the town, on such lots or houses which the council may designate, under a fine not exceeding twenty dollars and, in default of payment, an imprisonment not exceeding one month, against any person who shall remove, destroy, attempt, aid, advise, or incite whomsoever to remove or destroy such numbers or names.

Storage, &c.,  
of powder, &c.

**207.** For providing that powder, oils, fluids and other inflammable liquid or matter be safely kept ; for regulating and determining what quantity of the same may be kept in every house or building within the town ; for compelling any person, desirous of keeping a larger quantity, to provide for premises approved of by the council for such purpose ; for causing to be removed any such powder, oil, fluid or other inflammable liquid or matter kept or carted against the by-laws of the council, made under this section ; for preventing any person from firing fire-works or crackers or fire-arms in any street, or public square within the town, or for regulating the manner in which such exercises may be allowed, and the places in the town where they shall be allowed in certain cases, if the council think proper.

Fire-works, &c.

## CHAPTER XIII.

### SPECIAL POWERS, EXEMPTIONS FROM TAXATION, LOANS, ETC.

Granting  
bonus to fac-  
tories, &c.

**208.** The council may, at any time, grant to any person or company, desiring to establish any industry or any manufacturing business calculated to promote the interests of the town, certain sums of money payable, either in cash or in debentures, as the council think proper, and impose at the same time, if it think proper, a special tax on the real estate subject to taxation for the payment of the annual interest and sinking fund, provided always these loans or grants shall be made only after having obtained the approval of the majority of the electors, being proprietors in the town, who have voted, representing more than one half in value of the annual taxable real property of those who shall have thus voted on such by-law, passed to that effect, within the thirty days after the

passing of the said by-law by the council amending to the provisions of section two hundred and twelve of this act, relating to loans.

2. The council may also, with a view of encouraging such person or company or manufacturing concern, Immunity from taxation for a limited period. exempt them from paying any assessment, during a period not exceeding twenty years.

3. The council may also contribute to the cost of building and towards the maintenance of the registry office of the county of Chambly in the same proportion as the other municipal corporations of the county, according to the amount of the taxable real estate; provided that the registry office be established within the limits of the town. Registry office.

### LOANS.

**209.** It shall be lawful for the town council, from time to time, to borrow divers sums of money for effecting improvements in the town, or for the purpose of building one or more market-houses, or for draining the streets, and generally for such purposes as the said council shall deem useful or necessary within the limits of its corporate powers. Power to borrow money.

**210.** Whenever the corporation shall contract loans, the council shall be bound to provide immediately for the payment of the annual interest upon such loans, which annual interest shall not, in any case, exceed the legal rate of interest in this province; and the council shall set aside a portion of their revenues for the payment of such interest; and the said council shall also, whenever they shall contract a loan, provide out of their revenue for the establishment of a sinking fund; provided always, that when the interest and sinking fund united shall absorb one-half of the annual revenues of the town, then and in such case, it shall not be lawful for the town to contract new loans. To provide for payment of interest. Sinking fund. Proviso.

**211.** It shall be lawful for the council to contract loans by issuing bonds or debentures signed by the mayor, countersigned by the secretary, and sealed with the seal of the corporation, payable to the bearer thereof, at such periods as the council may think proper to fix, and such bonds or debentures shall bear interest, payable semi-annually, and at a rate not exceeding the legal rate of interest in this province; and coupons for the amount of the semi-annual interest thereon, may be annexed to all such bonds or debentures, which coupons, being signed by the mayor and countersigned by the secretary treasurer, shall be Power to issue debentures.



payable respectively to the holder thereof, when and immediately after the semi-annual interest therein mentioned shall become due.

Power of borrowing limited.

**212.** Whenever the interest and sinking fund of the loan or loans shall absorb one-half of the revenues of the town, the council shall, in no case, contract new loans without having obtained the approval of the majority of the electors, being proprietors of the town, who have voted representing more than one half in value of the assessed real property, who shall have thus voted on every by-law authorizing any of such loans, within thirty days after its passing by the council;

Approval by electors.

2. Such approval shall be expressed in a public meeting, presided over by the mayor, or, in his absence, by the pro-mayor, the secretary-treasurer acting as secretary, and duly called by notice, signed by the mayor or by the secretary-treasurer, published and posted up in the manner prescribed for the publication and posting up of the public notice required by the provisions of this act, for the publication of by-laws; provided always, that six qualified municipal electors may demand a poll;

Poll may be demanded.

Poll how held.

3. A poll shall be granted by the mayor, or in his absence, by the pro-mayor, on being so demanded, and shall be held within four days next after such meeting, the secretary-treasurer acting as poll-clerk under the direction of the mayor or of the pro-mayor, as the case may be;

Voting on such loans.

4. Each elector shall then present himself in turn and shall give his vote by "yea" or "nay"; but no person's vote shall be received unless the name of such person be inscribed on the municipal voters' list, then in force; provided always, that such poll shall be held on two consecutive juridical days, from nine o'clock in the morning until four o'clock in the afternoon;

Counting votes.

5. At the close of the poll, the mayor, or the pro-mayor; as the case may be, shall count the "yeas" and the "nays," and, within four days thereafter, the secretary-treasurer shall lay before the council, a statement shewing the value of the real property of each of the voters (according to the valuation roll then in force,) and this statement shall be kept by him with the voting list among the archives of his office, and if the said by-law is approved of, the council may then contract the loan;

Limitation as to power to contract loans.

6. In no case shall the council have the power to contract loans by debentures or otherwise, or to dispose of any funds they may have in their possession, to take shares in

or to aid any company, unless they shall be thereto authorized by a by-law, approved of in the manner hereinabove prescribed ;

7. The council, for the purpose of transacting more advantageously the affairs of the municipality, while waiting for the complete collection of the general or special taxes, and water rates, by a simple resolution to that effect, may contract, from time to time, temporary loans by means of notes or notarial deeds, for an amount not exceeding, each year, two-thirds of the revenue for such year, arising from the fund of the general and special taxes, water rates and arrears thereof.

Power to borrow money temporarily.

## CHAPTER XIV.

### PUNISHMENT FOR INFRACTION OF BY-LAWS.

**213.** If any person shall transgress any by-law made or order given by the council, under the authority of this act, such person shall, for every such offence, forfeit the sum specified in such by-laws, with the costs; the said fine and costs, to be levied on the goods and chattels of the offender, and in default of payment of the fine and costs, the offender shall be liable to be committed to the common goal of the district, for a term not exceeding one month, except in the cases otherwise provided for by this act ;

Penalties for infraction of by-law.

2. The information or complaint for any breach of any orders or by-laws of the said town council, shall be made within the six months next after the committing of the offence ;

Information to be laid within six months.

3. The council shall also have the power to punish, by forfeiture of their goods and provisions, all persons exposing them for sale on the markets, or in the streets of the town, and infringing the by-laws of the council as regards the weight or the quality.

Forfeiture of goods, &c.

### APPOINTMENT OF CONSTABLES.

**214.** It shall be lawful for the council, by resolution, to appoint, dismiss and replace, from time to time, a sufficient number of men to compose the police force of the town ;

Council may appoint, &c., a police force.

2. Such men shall be sworn before any member of the council, or before any justice of the peace for the district of Montreal, to act as police officers or constables, in order to preserve peace within said town ;

How sworn.

To obey orders.

3. The police officers or constables shall obey all legitimate orders they may receive from the council, from any of its members individually, or from any justice of the peace of the district of Montreal ;

Powers and duties of police officers and constables.

4. All and every the police officers or constables aforesaid shall be vested with all the necessary powers for the accomplishment of the duties imposed upon them ; and it shall be lawful for them to arrest on view and without a warrant any person they may find breaking the public peace, or lying or loitering, either during the night or day-time, in any highway, field, yard or other place, or putting up or sleeping in any barn, out-house or other unoccupied building, or under any tent, cart or other vehicle, and not giving a satisfactory account of himself, as well as any person drunk or causing some tumult in the public streets or highways or on any part of the beach of the river St. Lawrence within the limits of the town, by shouting, cursing or otherwise, and any person infringing upon any federal or provincial law, or any by-law of the town, and in a like manner, all persons advising, aiding or encouraging whomsoever, to infringe any such federal or provincial law, or any such by-law of the said town ; and it shall be lawful for them to arrest on view and without a warrant, any such persons immediately or immediately after the commission of the offence, on good and sufficient information being given as to the nature of the offence ;

5. They shall also have power and authority to arrest, even outside the limits of the said town, all person who shall have infringed any federal or provincial law, or any by-law of the said town as aforesaid, or who shall have advised, aided, or encouraged whomsoever to infringe any such federal or provincial law, or any such by-law ;

6. They shall have power and authority, within the limits of the said town, to serve all summons and subpoenas and execute all warrants and other proceedings for the arrest and the confining into goal, of all persons accused or detained for subsequent examination or for trial, or arrested in virtue of a warrant of execution for the commission of any crime or misdemeanor, or the violation of any federal or provincial law, or any by-law of the town ;

7. It shall be lawful for any police officer or constable, of the said town, and it shall be lawful for any one of them individually, to go into every house, store-house, grocery store, shop, inn or other suspicious house, and to go in

every yard or other places within the limits of the town, in which any person may be reasonably suspected to be for ill motives, and if any such person be found in such places, the said police officers or constables shall arrest on view and without a warrant, and shall keep in custody any such person as in the case of other arrests by such police officers or constables ;

8. They shall have also power and authority to go into every inn, hotel, and in every licensed shop for the sale of spirituous, vinous or fermented liquors, to ascertain if the laws regulating such houses, or if the by-laws, which the council shall have established concerning these houses, be observed, and to arrest on view and without a warrant all persons found in every such house, in contravention of all such laws, by-laws, orders and ordinances, as aforesaid ;

9. The said police officers or constables may, at any time, go into any store-house, shop or other houses not licensed for the sale of spirituous, vinous or fermented liquors, wherein they shall suspect such liquors are sold, and may arrest on view and without a warrant every person contravening the laws prohibiting the sale of spirituous, vinous or fermented liquors without license ;

10. Any such persons so summarily arrested may be conveyed to one of the police stations, of the town, there to be safely kept until they may be taken before the mayor, a councillor, or a justice of the peace : but such persons so arrested may give bail or a sufficient recognizance, to be taken or received by the said mayor, councillor, or justice of the peace to appear on the day appointed, before the said mayor, councillor or justice of the peace ;

11. The said constables or police officers shall have power and authority to serve all special notices and to publish all public notices in accordance with the various provisions of this act and they shall certify to the correctness thereof under their oath of office, without being obliged to take a special oath to that effect.

**215.** It shall be lawful for the council to order the inspector of the town, or any constable in the police force thereof, to notify any parties who shall have or shall hereafter make any encroachments upon the streets, beach or public squares, by means or houses, fences, fence doors opening on the streets, and sidewalks, or buildings or obstructions of any kind, or removing earth from the surface of any such street, beach or public square, to

Person arrested may be bailed or locked up.

Constables may serve papers, &c.

Parties to be notified to remove obstructions and encroachments on streets, &c.

cause the removal of such encroachments or obstructions, or to cease to remove such earth from the surface of the places aforesaid and to fill up the excavations they have so made, by giving to such persons a reasonable delay for the purpose, which delay shall be specified in giving such notice; and if such persons shall not have removed such encroachments or obstructions and shall not have discontinued such excavations, and shall not have filled up the same, it shall be lawful for the corporation, to cause the removal of such encroachments or obstructions and cause such excavations to be filled at the expense of the proprietors, tenants or occupants, or any other person, in default; provided that the constables of the police force shall have the right to prevent any one from removing earth from the surface of any street, beach or public square from continuing to remove the same by arresting such person on view and without any warrant, and the expense incurred for such purpose by the corporation shall be assimilated to municipal taxes and shall as such be a charge upon the property on which or in connection with which such work shall have been done or of the property of the person or persons in default, if such persons are proprietors.

Permit to cut  
ice in river.

**216.** No person shall be allowed to cut and take away ice in the river, in front of the town, without having previously obtained from the inspector a permission in writing, and such person shall, in that case, surround the place where the ice is taken so as to prevent all danger, and if such person neglects so to do, the inspector shall have the power to cause these necessary works to be made at the expense of the person in default, who may moreover be condemned for each offence to a fine not exceeding twenty dollars and the costs, and in default of payment of the fine and costs, to an imprisonment not exceeding one month.

Power to buy  
property en-  
croaching on  
streets.

**217.** It shall be lawful for the council, whenever any house shall encroach upon any of the streets or public squares of the town, to prevent the proprietor of such house from rebuilding on the site occupied by the demolished house; and it shall be lawful for the council to purchase such part of such lot, encroaching upon any street, or to require the proprietor of such land, to dispossess himself thereof, in consideration of an indemnity therefor; and such indemnity shall be fixed in the manner determined in chapter 17 of this act.

Power to ac-  
quire property  
for public  
purposes.

**218.** The said council shall have power to purchase and acquire, out of the revenues of the town, or by

exchange at such charges, clauses, conditions and considerations they shall think advisable, all such lots, lands and real property whatsoever within the town, which shall be deemed necessary for the opening or widening of any street, public square or market place, or for the erection of any public building, or generally for any object of public utility.

**219.** Notwithstanding the provisions of the preceding section, the said council, by a by-law to that effect, shall have power to order that any street or streets in the town shall in future be widened gradually to a specified width, which shall be mentioned in the by-law and thereby fix and determine the new lines thereof; to order that the land required for such widening be, from time to time, acquired or expropriated as the buildings or erections thereon shall be removed or destroyed as the said council shall fix or determine by such by-laws; and to order that such improvements be made out of the funds of the town or that the cost thereof be levied in whole or in part upon the lands or portions thereof belonging to parties who are interested in or who shall benefit by such improvements; and the corporation of the town shall have the right to purchase and take possession of any land or real estate whatsoever within the limits of the town, either by mutual agreement with the proprietor thereof or any other interested person or by expropriation; provided always that nothing in the present act contained shall prevent the said council from passing any by-law ordering the immediate widening or extension of any street or streets.

Widening  
streets.

**120.** Within eight days from the coming into force of any by-law ordering the opening, extension or widening of any street or public square, the secretary-treasurer shall give special notice to the proprietor or proprietors of the land, required for the improvement of such street or public square, at their present or last known domicile, of the passing of such by-law, and no damage or compensation shall be allowed for the buildings, erections or improvements which may be made upon the land required for such improvements by the proprietors or any other persons entitled thereto, after the service of such special notice, and the compensation for such lands shall be payable within one year.

Notice of by-  
laws to pro-  
prietors.

## CHAPTER XV.

## REFUSAL OF OFFICE.—PENALTIES.

Penalties for refusal to accept certain offices.

**221.** Every person who, being elected or appointed to any of the offices hereinafter mentioned, shall refuse or neglect to accept such office, or to perform the duties of such office, during any portion of the period for which he shall have been so elected or appointed, shall incur the penalty hereinafter mentioned that is to say :

1. The office of mayor, one hundred dollars ;
2. The office of councillor, fifty dollars ;

For neglecting to make valuation.

**222.** Whenever the assessors shall neglect to make the valuation, which they are required to make or neglect to draw up or cause to be drawn up, sign and deliver the valuation roll to the secretary-treasurer, at the expiration of the delay granted to them, for that purpose by the council, every such assessor shall incur a penalty of two dollars currency for each day which shall elapse between the expiration of the said delay, and the day upon which such valuation roll shall be so delivered or his successor in office be appointed.

For refusal, &c., to conform to provisions of this act.

**223.** Every member of the council and every officer appointed by the council, who shall refuse or neglect to perform any of the duties imposed upon him by this act, shall incur a penalty not exceeding twenty dollars.

Illegal voting.

**224.** Every person who shall vote at any election of mayor or councillors, without having, at the time of giving his vote at such election, the qualifications required to entitle him to vote at such election, shall thereby incur a penalty of not more than eighty dollars and the costs.

Neglect by road officer.

**225.** Every inspector of roads or road officer, who shall refuse or neglect to perform any duty assigned to him by this act, or by the by-laws of the council, shall, for each day on which such offence shall be committed or shall continue, incur a penalty of one dollar, unless some other and heavier penalty be by law imposed for such offence ;

Preventing officers in performance of their duty.

**226.** Every person, who shall hinder or prevent, or who shall attempt or incite, advise or encourage whomsoever to hinder or prevent, any officer of the council in the exercise of any of the powers, or in the performance of any of the duties conferred or imposed upon him by this act, or by any by-law or order of the council, shall incur a penalty not exceeding twenty dollars for every such offence ;

**227.** Every person who shall wilfully tear down, injure or deface, or who shall attempt, incite, advise or encourage whomsoever to tear down, damage or deface any advertisement, notice, or other document required by this act, or by any by-law or order of the said council to be posted up at any public place, for the information of persons interested, shall incur a penalty not exceeding twenty dollars for such offence ;

**228.** Every person, who shall post up immoral, libelous or scandalous notices, or set up indecent drawings, statues or pictures, shall incur a penalty of not more than one hundred dollars and costs and in default of payment an imprisonment, of not more than six months, and any person, who shall be convicted of being the author of such notices, or of having counselled or encouraged any person whatever to write or post up such notices or to exhibit such pictures, statues and drawings, shall incur a like penalty and a like imprisonment in default of payment of the fine.

## CHAPTER XVI.

### PROPERTY EXEMPT FROM TAXATION.

**229.** The following property shall be exempt from taxation in the town of Longueuil :

1. All lands and property, belonging to Her Majesty or her successors, held by any public body or office, or by any person for the service of Her Majesty and her successors ;

2. All properties or buildings belonging to the federal or provincial government ;

3. All places devoted to public worship, parsonages and their dependencies, burial grounds, and all property belonging to *fabriques*, or to religious, charitable or educational institutions or corporations, or occupied by such *fabriques*, institutions or corporations, for the ends for which they were established, and not possessed solely by them to derive a revenue therefrom ;

**230.** The proprietors of the property mentioned in the preceding section shall, nevertheless, be bound to the making and maintenance of roads, streets, water-courses, ditches, in conformity with the by-laws of the said town council, and such proprietors shall also be bound to pay



any special tax for that purpose and the compensation for the use of water as may be imposed by the said council.

## CHAPTER XVII.

### EXPROPRIATIONS.

Council may appropriate land.

**231.** The council may, by complying with the following provisions, appropriate any land required for the execution of works ordered by it, within the scope of its jurisdiction.

Council not to injure canal, &c.

**232.** The council shall not, without the consent of the owner, in any manner, injure any canal, or the dam of any mill or manufactory, nor divert the course of the water, which feeds such canal, mill or manufactory.

Indemnity for land expropriated.

**233.** The indemnity, to be paid for any land liable to expropriation, may be fixed and established by agreement between the council and the proprietor thereof, if he is of age and in possession of civil rights; and it may also be agreed that no indemnity shall be accorded to the expropriated proprietor.

Arbitration in certain cases.

**234.** In the absence of an understanding between the parties, or if the proprietor is a minor and has not the exercise of his civil rights, the value of the land in question, together with whatever goes in compensation against the value of such land, shall be estimated by arbitrators named as follows: one by the council, one by the proprietor or on his behalf, or in his default by a judge of the superior court and a third by the two former, or if they cannot agree, by a judge of the superior court, on demand of any of the interested parties.

Proceedings before arbitrators.

**235.** The arbitrators shall proceed at the time and place fixed by them, of which they shall have given at least ten days' special notice to the parties interested.

Decision of arbitrators.

**2.** The arbitrators, after having examined and valued the land and heard the parties and their witnesses, under oath administered by one of them, if they deem it expedient, shall give their decision by means of a certificate signed by them or by the majority of them, and which they shall file in the office of the council.

To be final.

**3.** Such decision shall be final and without appeal.

Arbitrators to be sworn.

**4.** Arbitrators, before acting, shall be sworn.

**236.** On payment or lawful tender of the amount of the Corporation to indemnity agreed upon or allowed, or on the deposit <sup>take possession of land on</sup> thereof under the following section, the corporation shall <sup>certain conditions.</sup> be entitled to take possession of the land.

If such taking possession is resisted or opposed by any <sup>If resistance is</sup> person, any judge of the superior court, on proof of the <sup>offered</sup> decision of the arbitrators, and of the payment, or tender, or deposit, as the case may be, may issue his writ addressed to any bailiff or to the sheriff, in order to have the corporation placed in possession of such lot and to cause all resistance or opposition to cease, and which the bailiff or sheriff shall accomplish, providing himself to that end with the assistance required.

**237.** If the expropriated proprietor is unknown, or if <sup>Proceedings if</sup> the council, through apprehension of future claims or <sup>proprietor is</sup> for other motives, deems it advisable so to act, the amount of the indemnity together with six months interest thereon, shall be deposited in the office of the prothonotary of the district, together with a copy of the deed of accord, or of the decision of the arbitrators; and proceeding shall be taken for the ratification of such deed or decision, by following the same procedure and with the same effect, as in ordinary applications for ratification of title.

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## CHAPTER XVIII.

### PROCEDURE.

**238.** Every contract or document to which the said <sup>Documents to</sup> town council shall be one of the contracting parties, shall <sup>be signed by</sup> be, unless otherwise provided for by resolution, passed and signed by the mayor, or in his absence by the pro-mayor and countersigned by the secretary-treasurer: and whenever it shall be necessary to serve on the mayor and town council any protest, proceeding, suit at law, rule of court, summons or any other proceeding whatever, in any suit or action at law, such service shall be made upon them at the office, of the secretary-treasurer.

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## CHAPTER XIX.

### ROADS ON THE ICE.

**239.** The council shall be obliged to cause to be <sup>Roads may be</sup> opened and maintained during winter a road on the <sup>opened on the</sup> ice to Montreal.

**Division of expenses.** of river St. Lawrence, to communicate with the city of Montreal. The expenses of opening and maintaining such road shall be borne by the corporations of the city of Montreal, of the county of Chambly and of the town of Longueuil, in the following proportions, half of such expenses shall be paid by the city of Montreal, three-eighths of the said expenses shall be paid by the county of Chambly, and one-eighth of the said expenses shall be paid by the town of Longueuil, and the corporation of the town of Longueuil shall not be bound to contribute to the opening or maintenance of any winter road on the said river St. Lawrence, ending either in the municipality or of the parish of Longueuil or St. Lambert.

## CHAPTER XX.

### IMPOSITION AND COLLECTION OF TAXES.

**When taxes to be levied.**

**240.** At the general session of the council, at which the general valuation roll of the town shall be finally revised, corrected and homologated, or at any general or special session of the council, which shall be held within the thirty days next after the session, at which such roll shall be homologated, the council shall determine by resolution :

1. The amount of the tax to be levied under section 129 to meet and pay the general expenses of the council, for the fiscal year commenced on the first of July immediately preceeding the final homologation of the valuation roll ;

2. That of the special tax provided for by section 174, to meet the interest and the sinking fund of the monies representing the cost of the water works of the town.

**241.** As to the other special taxes, which the town council has the right to impose, it may impose and apper-tion the same at any time of the year.

**Collection rolls. Prepa-ration of.**

**242.** As soon as the general and special taxes of the town, of whatever kind they may be, shall have been imposed, the secretary-treasurer shall prepare the collection rolls, one of which shall be for the general taxes and the other for special water rates and the indemnity for supplying water ;

**Arrears.**

2. There shall be entered and mentioned in a column specially devoted to that purpose and designated under

the head of "arrears," in each collection roll for general taxes, all taxes and all the arrears of general taxes which according to the collection roll of the said taxes for the previous year, appear to be unpaid on or before the thirtieth of the month of June previous;

3. He shall enter and mention in the same roll in a <sup>Sundry items</sup> separate column under the head of "sundry items," all debts due by any person whomsoever for costs of maintaining sidewalks and streets, for weighing or for any other thing whatsoever;

4. The secretary-treasurer shall enter and mention, in the collection roll for special taxes and indemnity for the <sup>Arrears of taxes and arrears of water-rates.</sup> supply of water in two columns, respectively headed "arrears of taxes" and "arrears of water-rates," all special taxes and arrears thereof, and all indemnity for water-rates and the arrears thereof, which shall appear by the collection roll for the special taxes, and water-rates for the supply of water to be unpaid on or before the thirtieth day of the month of June previous;

5. The secretary-treasurer shall enter these various <sup>How entered in collection roll.</sup> amounts opposite to the name of the person who shall owe them;

6. So soon as these various collection rolls shall have <sup>Collecting taxes.</sup> been completed, the secretary-treasurer shall proceed, without delay, to collect the general or special taxes, the water-rates or other claims whatsoever therein mentioned in the following manner:

7. He shall give a public notice in the manner required <sup>Notice required: what to contain.</sup> for the publication of by-laws, that the said collection rolls are completed and deposited in his office; that a discount of five per cent will be allowed to any rate-payer, mentioned in the said rolls, who will pay his indebtedness, on or before the first day of the month of October then next, which discount shall be deducted from the various amounts, which such rate-payer shall pay within such delay, provided that such amounts only represent taxes or water rates, for the then current year; the public notice shall moreover state that every person, mentioned in the said rolls, as being indebted for any taxes whatever, for water-rates and arrears, is required to pay the amount thereof to the secretary-treasurer, at his office, on or before the thirty-first day of the month of October then next, without further notice;

8. If, after the said thirty-first day of the month of <sup>Notice to tax payer in arrears to be served upon him.</sup> October, there remain unpaid any general or special taxes or special water taxes or compensation for water, the secretary-treasurer shall leave or cause to be left by his

Cost of such notice and of service.

assistant, or by any sworn bailiff or police constable, at the usual place of residence or domicile of each party in arrear, or to each such party personally, a statement of the total amount of the general and special taxes, water-rates and arrears whatsoever due by such party in arrear, and at the same time by a special notice in the said statement, he shall demand payment of the various sums therein mentioned, with twenty five cents for costs of the service of such notice, which costs shall belong to the corporation;

Warrant of distress if amount not then paid.

9. If any person refuses or neglects to pay the various sums mentioned in the statement accompanying such demand during the fifteen days after he shall have been requested so to do, the secretary-treasurer shall levy the said general or special taxes and arrears, the special taxes, water rates or arrears, with costs by a warrant under the hand of the mayor, or any councillor and the seal of the corporation, authorising the seizure and sale of the goods and chattels of the person bound to pay the same, wherever they may be found within the limits of the town, addressed to any one of the sworn bailiffs, in the district of Montreal, of the superior court for Lower Canada, or to any one of the constables of the police force of the town, who are respectively authorized to seize and sell the said goods and chattels, in the ordinary manner;

Procedure with respect to collection of special taxes.

10. For the special taxes which the council may impose in any year, the council shall, by the by-law or by-laws imposing the same, determine the method of collection and fix the delays during which such collection shall be made;

Chattels of absconding rate-payer in arrear may be seized.

11. In the event, at any time after the imposition of any of the general or special taxes or water rates of any tenant or occupant leaving the town without paying the taxes or water rates due by him the constables of the police force of the town, upon a written order from the mayor or the secretary-treasurer, under the seal of the corporation, shall be authorised to detain and seize the movable effects of such tenant or occupant, wherever they may be found within the limits of the town and to detain them until the said tenant or occupant shall have paid to the proper person the amount due by him for taxes or water rates as aforesaid, or until proceedings have been taken to have the said effects sold for the recovery of such taxes and water rates, in accordance with the provisions of this act.

Taxes upon immoveables or moveables recoverable from either tenant or proprietor.

243. Every tax or assessment, imposed under this act upon any property or house in the town, shall be recovered either from the proprietor, tenant or occupant of such pro-

perty; but in case the tenant or occupant shall have been forced by the corporation to pay any tax or assessment for and on account of the proprietor, whose property he occupies, he shall have the right to retain the amount so paid by him, from and out of the rent which he may then or thereafter owe to such proprietor whose property he occupies. He shall, in any case, be subrogated in all rights of the corporation, against the proprietor for the recovery of the said taxes and assessments. The same subrogation, shall be acquired by any one who shall pay the taxes, assessments, water-rates or arrears on any property which may be advertised under the authority of this act, to be sold for the recovery of the sums aforesaid.

*Proviso if  
tenant pays  
proprietor's  
taxes.*

## CHAPTER XXI.

### SALE OF PROPERTY.

**244.** In all cases where any person, having been rated in respect of any vacant ground or other real property in the said town, shall not reside within the town, or, in all cases where sufficient chattels shall not be found to be seized, for the payment of the taxes imposed upon any person, in the town in respect of any ground, building, or other immovable property belonging to such person or to pay the special taxes or water-rates or arrears due by him, if such person is proprietor, or if any such taxes or water-rates remain unpaid for six months, after the notice of the deposit of the collection rolls of the town shall have been given, then and in such case, it shall be lawful for the council, on report made to that effect by the secretary-treasurer, to authorize the secretary-treasurer to sell or cause to be sold by public auction, at the office of the council, in the manner hereinafter prescribed, the real property, or any of such real property which the council shall designate by a resolution, so indebted for general taxes or for special taxes or water-rates.

*Sale of prop-  
erty for taxes  
in certain  
cases.*

**245.** The secretary-treasurer shall prepare a list, containing a sufficient designation in virtue of article 2168 of the civil code, of such real estate, and he shall, within fifteen days from the date of such order, give a public notice in the manner prescribed for the publication of by-laws, of the day, hour and place in which such sale shall be held, and such notice, as well as the copies thereof which shall be posted, shall be respectively accompanied by a copy of the list of the real estate to be so sold, as well as the amount of taxes and costs due on each property respectively; and a

*List of prop-  
erty to be  
sold for taxes  
to be prepared.*

similar notice and the list accompanying the same shall be published twice in French and in English in the "Quebec Official Gazette" in the month of February preceding such sale.

Notice of sale  
to proprietors.

2. The secretary-treasurer shall also give special notice to each person whose property is to be sold.

Proceedings at  
sale.

3. At the time indicated for the sale, the secretary-treasurer or any other person acting in his name shall sell to the highest and last bidder the lots described in the list on which taxes still remain due, after having made known the amount to be levied on each, including the costs incurred for such sale.

4. Whosoever shall then offer to pay the highest price and shall be the last bidder shall become the purchaser of the lot so sold by auction and such lot shall be at once adjudged to him by the secretary-treasurer or any other person who may have sold the same.

Payment of  
purchase price.

The purchaser of the lots so sold shall pay the amount of the price of sale immediately after the adjudication.

Proceedings in  
default of pay-  
ment.

In default of immediate payment, the secretary-treasurer shall either at once put up the lots again for sale or shall adjourn the sale for eight days, giving notice of such adjournment to all persons present, in a loud and intelligible voice, and he shall also give a public notice of such adjournment in the manner required for the publication of by-laws.

Adjournment  
of sale.

5. If at the date of such sale, no bid is made, or if all the lots advertised cannot be sold, the sale shall be adjourned for eight days, and notice of such adjournment shall be given in the manner prescribed. The owner or any person whether authorized by him or not, may stop the sale by paying into the hands of the secretary-treasurer the amount to be levied, together with the costs, and the purchaser may stop the sale, by paying into the hands of the secretary-treasurer before the time fixed for the sale, the amount of the purchase money and all the additional costs incurred on account of the adjournment of the sale.

Rights of pur-  
chaser.

6. On payment by the purchaser of the amount of his purchase, he is seized of the ownership of the lot adjudicated, and he may take possession thereof, subject to the redemption which may be effected within the two years following the date of the adjudication. Nevertheless he can not cut any tree, nor make any changes that would deteriorate the property, within the two years following the day of the adjudication.

7. All owners of real estate so sold or any person, <sup>Proceedings to</sup> authorized or not by them, may redeem them but only in <sup>redeem lands</sup> the name and for the benefit of the person who was the <sup>sold.</sup> owner thereof when such property was adjudged, and this within two years from the date of such sale, by paying to the purchaser the whole amount of the purchase money, and the costs and necessary expenses incurred in connection with such real estate to preserve it in the same state and condition in which it was when it was sold, together with legal interest thereon.

8. If after such sale there remains a surplus over and <sup>Distribution of</sup> above the sum due for assessments and costs on any <sup>surplus.</sup> property, such surplus shall be deposited by the secretary-treasurer in the treasury of the town to be afterwards paid over with interest on demand after its redemption, if the right of redemption is exercised, or at the expiration of the two years following the date of the sale, if the right of redemption is not exercised; except that when the property has not been redeemed and claims have been filed in the office of the council, in such cases the secretary-treasurer shall forward such claims to the superior court in the district of Montreal, together with a copy of the notice of sale, of the list of the real estate, the sale whereof has been ordered, and a certificate giving the description of the property to which such claims relate, the price, a statement of the amount due to the corporation and paid out of such price and the amount deposited as well as the interest accrued, and such surplus and interest shall be paid to whomsoever it may be ordered by a report of distribution made and homologated as in ordinary cases. Interest shall cease to run on the surplus from the time at which the claims are forwarded to the court.

9. If during the space of two years from the date of <sup>Rights of pur-</sup> adjudication, the property adjudicated has not been <sup>chaser, if pro-</sup> redeemed, the purchaser shall remain the irrevocable <sup>erty not</sup> owner thereof, and upon payment of all municipal taxes <sup>redeemed.</sup> which have become due and payable in the interval on such property, such purchaser, at the expiration of the two years, shall be entitled to a deed of sale of such property from the corporation.

10. The deed of sale shall be executed in the name <sup>Execution of</sup> of the corporation and be signed by the mayor and <sup>deed of sale.</sup> secretary-treasurer, and sealed with the common seal of the town, and the cost of such deed, as well as the cost of <sup>Costs of deed</sup> the enregistration thereof, shall be paid by the purchaser <sup>and enregis-</sup> to the secretary-treasurer before the passing and register- <sup>tration to be</sup> <sup>paid by pur-</sup> <sup>chaser.</sup> ing of such deed of sale.



Deed to be en-  
registered by  
secretary-  
treasurer.  
Effect of sale.

The secretary-treasurer shall cause such deed of sale to be enregistered

11. The sale shall have the same effect as a sale by the sheriff.

Corporation  
may bid.

246. The corporation of the town of Longueuil may bid at the sale of such immovables and may become the purchaser thereof, through the mayor or other person authorized by the council, without being held to pay in forthwith the amount of the purchase money.

List of lands  
sold to be pre-  
pare and  
special notice  
to be given to  
proprietors.

247. A list of lands sold, setting forth the name and residence of the purchaser and the price of the sale, shall be made by the secretary-treasurer within a delay of fifteen days next after the adjudication; and the secretary-treasurer shall without delay give special notice to the proprietors or occupants of such lands, of the sale thereof.

Prescription of  
suit to annul  
sale.

248. The action to annul a sale of land, made in virtue of the provisions of this chapter, or the right of calling in question the lawfulness thereof, is prescribed by three years from the date of such adjudication.

Provide: if  
land to be alien-  
ated by sheriff.

249. If any land described in the list, published under the provisions of this act, is advertised to be sold by the sheriff, the secretary-treasurer shall not sell such land, but shall, without delay, transmit to the sheriff a statement of the sums due for taxes and cost of advertising on account of such land.

Provide: if  
sheriff's sale  
discontinued.

250. Nevertheless if on the day fixed for the sale, the proceedings of the sheriff on the sale have been discontinued, the secretary-treasurer may sell the land in the usual manner.

Collection of  
school rates.

251. The secretary-treasurer of the school municipality of the town of Longueuil, in order to collect the arrears which shall be due to this municipality by the rate-payers, shall transmit to the secretary treasurer of the town, the list of the property on which arrears of school taxes are due, and the said secretary-treasurer of the town, shall proceed to the sale of such property in the manner set forth in this chapter, and such sale shall have the same effect as if these properties had been sold for municipal taxes.

#### PREScription OF AND INTEREST UPON TAXES.

Debts for  
taxes, &c. due  
to corporation.

252. All municipal taxes, assessments or special taxes for water, water-rates, for all purposes whatsoever, shall be prescribed by five years.

**253.** All municipal taxes and other municipal dues and all special taxes for water or water rates shall bear interest from the first day of November in each year; nevertheless, special taxes which can only be imposed under a by-law to that effect, shall only bear interest from and after the day specified for that purpose in such by-law.

Interest on arrears.  
Provisions to special taxes.

## CHAPTER XXIII.

### EXECUTION OF JUDGMENTS.

**254.** The first title of the third book of the Municipal Code of this Province shall, *mutatis mutandis*, apply to the corporation of the town of Longueuil.

First title of third book of Municipal Code to apply.

### INTERPRETATION CLAUSES.

**255.** Whenever, by the provisions of this act or of any municipal by-laws to be made, a day is fixed for the holding of any session whatever, of the said council, or for the accomplishment of any duty or formality, either by the council itself, by any of its members or officers, or by any rate payer of the town, if the day so fixed be a non-juridical day, the holding of such session shall take place, and the accomplishment of such duty or formality shall be fulfilled on the first juridical day next thereafter;

When day fixed for a sitting is a non-juridical day.

2. Whenever, by the provisions of this act or of any by-law, a delay is granted either for the examination of any electoral list, for the payment of municipal taxes or other assessments, for the preparation by the secretary-treasurer of any electoral list, or for the accomplishment of any other duty by the said officer, or by any member or any other officer of the said council, or for any other purpose whatsoever, if the last day of such delay be a holiday, such delay shall, in that case, be extended to the end of the next following juridical day;

Other case.

3. The intermediate delay, after a special or a public notice, shall run from the day the same shall have been served or posted up, such day not included;

Intermediate delay.

4. The words "time of the elections" shall designate and mean all the time which shall elapse from the day upon which public notices, announcing the elections of a mayor or of municipal councillors shall be posted up, till the day following the nomination, and subsequently till the day following the polling day, in cases one or more polls shall have been held.

Time of the elections.

**Financial year.** 5. The term "financial year" shall designate the period of time included between the first of July of one year, that day included therein, and the first day of the month of July in the following year, that last day not included.

**40 Vic., c. 29, not to apply.** **256.** The town corporations general clauses act, 40 Victoria, chapter 29, shall not apply to the town of Longueuil.

**Act in force.** **257.** This act shall come into force on the day of its sanction.

## C A P. L X X V I.

An Act to confer certain powers on the Bell Telephone Company of Canada.

[Assented to 30th June, 1881.]

**Preamble.**

**W**HEREAS the Bell Telephone Company of Canada has, by its petition, represented that it was incorporated by an act of the Parliament of Canada, passed in the 43rd year of Her Majesty's Reign, Chapter 67, and certain powers were conferred on the said corporation by the said Act, and that doubts exist as to the power of the Parliament of Canada to confer such powers, and has prayed that the said powers be conferred on it by the Legislature of this Province, and whereas it is desirable to grant the prayer of the said petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**Company recognized.**

**1.** The Company, incorporated by chapter 61, of the Statutes of Canada, passed in the forty third year of Her Majesty's reign, known by the name of "the Bell Telephone Company of Canada," is recognized as a corporation with all the rights powers and privileges incidental to corporations by the laws of this Province with its chief office at Montreal.

**Company authorized to erect lines along street, &c.**

**2.** The Bell Telephone Company of Canada may construct, erect and maintain its line or lines of telephone along the sides of and across or under any public highways, streets, bridges, water-courses or other such places, provided the said company shall not interfere with the public right of travelling on or using such highways, streets, bridges or water-courses, and without doing any unnecessary damage nor preventing free access to any building erected in the vicinity; and provided that in cities, towns and incorporated villages, the company

**Proviso.**

**Proviso.**

shall not erect any pole higher than forty feet above the surface of the street, nor affix any wire less than twenty-two feet above the surface of the street, nor carry more than one line of poles along any street, without the consent of the municipal council having jurisdiction over the streets of the said city, town or incorporated village, and that in any city, town or incorporated village, the poles shall be as nearly as possible straight and perpendicular, and shall in cities be painted, if so required by any by-law of the council; and, provided further that, where lines of telegraph or of telephone or for electric light are already constructed, no poles shall be erected by the company in any city, town or incorporated village along the same side of the street where such poles are already erected, unless with the consent of the council having jurisdiction over the streets of such city, town or incorporated village; Provided also, that in so doing the said company shall not cut down or mutilate any tree; and provided that in cities, towns and incorporated villages, the opening up of the street for the erection of poles or for carrying the wires under ground shall be done under the direction and supervision of the engineer or such other officer as the council may appoint, and in such manner as the council may direct, and that the poles shall be erected at such places as the council may also direct, and that the surface of the street shall, in all cases, be restored to its former condition, by and at the expense of the company: and provided further that whenever in case of fire it becomes necessary for its extinction or the preservation of property that the poles or telephone wires should be cut, the cutting under such circumstances of any of the poles or of the wires of the company, under the direction of the chief engineer or other officer in charge of the fire brigade, shall not entitle the company to demand or claim compensation for any damages that might be so incurred. And provided further that the company shall be responsible for all damages which it may cause to individuals in carrying out or maintaining any of its works.

3. This Act shall come into force on the day of its sanction and shall not, in any way, affect pending cases.

Act in force;  
not to effect  
pending cases.

## CAP. LXXVII.

An Act to enable the Montreal Warehousing Company to issue preferential stock.

[Assented to 30th June, 1881.]

**W**HEREAS the Montreal Warehousing Company has, by its petition, prayed to be permitted to increase

Preamble.

its capital stock to an amount not exceeding five hundred thousand dollars currency, by the issue of preferential stock and it is expedient to grant its prayer; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec enacts as follows:

Company may increase capital stock by issue of preferential shares.

1. It shall be lawful for the Montreal Warehousing Company, by a resolution or resolutions passed at a meeting of its shareholders, specially convened for that purpose, to increase its capital stock to an amount not exceeding five hundred thousand dollars by the issue of preferential shares of fifty dollars each.

How shares to be issued.

2. The preferential shares, except such portion thereof as shall be exchanged for outstanding bonds of the Company as hereinafter provided, shall be allotted by the directors to the then shareholders of the company *pro rata*, provided that no fraction of a share shall be so allotted, and a stock book shall thereupon be opened for subscription by the shareholders in the Company's office.

Notice of opening of stock book.

3. Of the opening of such stock book, notice shall be given to each shareholder by the secretary of the Company, by circular, addressed to the last known address of such shareholder, or in case of his absence, to his duly authorized agent, deposited and registered in the post-office in the city of Montreal and by advertisement during fourteen consecutive days in two daily English newspapers and in two daily French newspapers, published in the city of Montreal.

Delay for subscription for preferential shares by shareholders.

4. During a period of thirty days from the first publication of such advertisement, each shareholder of the said company shall be entitled to subscribe for the number of preferential shares so allotted to him, or for any less number; and after the expiration of such period, the unsubscribed portion of the preferential shares may be opened for subscription to the public, on such terms and in such manner as the directors shall determine.

Dividends upon stock and name.

5. The preferential shares shall be called "First Preference Stock" and shall be entitled to dividends at the rate of eight *per cent. per annum* on all such portions thereof as shall be actually paid up from the date of such payment, and the amount of such "First Preference Stock" may be called up, either in one payment or by separate calls, from time to time, when and as the directors of the Company may, in their discretion, see fit.

6. Shares of preference stock shall be transferable in the same manner as shares of the original capital stock of the company are now transferable. How shares to be transferred.

7. The net earnings of the company, after payment of all outstanding liabilities, shall be applied first towards the payment of dividends as aforesaid, including all arrears thereof, on the "First Preference Stock;"—secondly, towards the payment of a dividend at the rate of six per cent *per annum*, on the original capital stock of the company, and any surplus remaining over shall be applied, in the discretion of the directors, to the general purposes of the company, or towards the formation of a fund, to be called the "Rest Fund", or towards the payment of an additional dividend on the "First Preference Stock" and the original capital stock equally *pro rata* on the amount paid upon each such stock. Division of profits of company.

8. In case of the winding up of the company and of the realization, by sale or otherwise, of the whole or any part of its property and assets, the shareholders of the "First Preference Stock" shall be entitled to be repaid the amount paid up on the preferential shares held by them, as well as all arrears of dividends due thereon, before and in preference to the shareholders of the original capital stock of the company. Division of assets in event of company being wind up

9. The directors are empowered, at any time, by and with the consent of the bondholders, to convert or exchange outstanding bonds of the company and interest thereon accrued into preferential stock, on such terms and in such manner as shall be agreed upon between the directors and the holders of such bonds. Bonds may be converted into preferential stock.

10. The money arising from the issue of the "First Preference Stock" shall be applied towards the redemption of the outstanding bonds or debentures of the company, on such terms as may be agreed upon between the bondholders and the directors of the company; and the surplus, if any remaining, shall be applied to the general purposes of the company as the said directors, in their discretion, may see fit. Application of proceeds of issue of "First Preference Stock."

11. The powers, granted to the company and to the directors by this act, shall not be exercised until the same shall have been approved and accepted by the majority in number and value of the shareholders present and voting in person or by proxy, at a general meeting specially convened for that purpose. Proceeding requisite before stock issued.

Act not to  
affect bond-  
holders of com-  
pany.

**12.** Nothing in this act contained shall be held to alter or impair, in any manner, the rights and privileges of the existing bondholders of the company.

### CAP. LXXVIII.

An Act to correct a clerical error in the official Plan and Book of Reference of the Parish of Ste. Rose.

[Assented to 30th June, 1881]

Preamble.

**W**HEREAS, lot No. 327*a*, in the original of the official plan and book of reference of the parish of Ste. Rose, was by error designated under the No. 328, on the copy of the said book of reference, deposited in the registry office for the county of Laval, and several deeds, affecting such lot, have been executed and enregistered under such erroneous number; And, whereas, the registrar of the said county of Laval has inserted, in the index to immovables of the said parish, the said lot No. 327*a*, under the No. 328, and lot No. 328, in the plan and book of reference aforesaid, has been entered in the index under the No. 329*a*, and one deed, affecting such lot, has been executed and registered under the No. 329*a*; and, whereas, it is necessary to provide for the correction of these errors; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Official plan  
and book of  
reference of  
parish of Ste.  
Rose, may be  
corrected.

**1.** The commissioner of crown lands is authorized to correct and modify the official plan and book of reference of the parish of Ste. Rose, so as to keep the numbers of the lots 328 and 329*a*, as entered in the index to immovables of this parish, so that the lot, designated in the original plan and book of reference under the No. 327*a*, shall, for the future be No. 328, and the lot designated in the said plan and book of reference under the No. 328 shall, for the future, be number 329*a*.

Such correction shall be attested under the signature of the commissioner of crown lands.

Copy when to  
be deposited.

**2.** The copy of the said plan and book of reference, deposited in the office of the registrar of the county of Laval, shall be corrected in the same manner as the original of the said plan and book of reference.

Act not to  
affect pending  
cases and in  
force.

**3.** This Act shall not affect pending cases and shall come into force on the day of its sanction.

## CAP. LXXIX.

An Act to authorize the cadastre of lot No. 18 of St. Lawrence Ward, in the City of Montreal, to be prepared.

[Assented to 30th June, 1881.]

**W**HEREAS lot No. 18 of St. Lawrence ward, in the City of Montreal, was sub-divided and sold in lots after the coming into force of the cadastre without a plan and book of reference having been previously prepared, in accordance with article 2175 of the Civil Code; and whereas the formalities required by the Act 38 Vict., chap. 15, cannot be observed, owing to the refusal of some of the interested parties to sign the plan and book of reference; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The Lieutenant-Governor in Council may order a Cadastre of plan and book of reference of the subdivisions of lot No. 18 of St. Lawrence ward, in the City of Montreal, to be made by the Commissioner of Crown Lands, and a copy thereof to be deposited in the hands of the registrar. He may also, by proclamation, declare upon what day they shall come into force, and from and after the date so declared, the provisions of the Code and of its amendments, shall apply to such plan and book of reference.

The expense of preparing such plan and book of reference shall be borne by the interested parties.

Cost thereof  
how borne.

## CAP. LXXX.

Act to declare binding certain steps taken by the school commissioners of the parish of St. Lin, for the establishment of a girls' model school or academy.

[Assented to 30th June, 1881.]

**W**HEREAS, it has been represented by petition that the school commissioners of the parish of St. Lin, in the county of l'Assomption, on the twenty eighth of December, one thousand eight hundred and seventy eight, adopted a by-law to levy an amount of three thousand dollars, in order to build a girls' model school or academy, in school district number two of the parish, together with a further sum of seven and a half per cent, to make up for any loss that might occur in the collection of such sum of three thousand dollars, and to meet any contingent and unforeseen expenses; whereas by an

Preamble.



authentic deed passed on the first day of April, one thousand eight hundred and seventy nine, the commissioners, in order to attain the object mentioned in the by-law, and in order at the same time to obtain the advantage of a girls' boarding school for their parish, entered into agreement with the community of "Les Sœurs des Saints Noms de Jesus et Marie," by which the community and the school commissioners agreed to furnish three thousand dollars each towards erecting, in the said school district, a building in which the community would establish a convent and a girls' model school, under the control of the school commissioners for the parish; that an assessment roll was made in order to levy the amounts mentioned in the by-law and was homologated by the school commissioners, on the thirtieth day of August, one thousand eight hundred and seventy nine; that the community acting upon the faith of the agreements contained in the deed above mentioned, did erect a large building, which they now use as a convent as well as a girls' model school, under the control of the school commissioners; that all but five of the tax-payers have paid the amounts exacted from them under the special assessment roll; that the legality of the steps taken by the school commissioners for the establishment of a girls' model school or academy for the parish of St. Lin, as well as the legality of the special assessment roll have been contested, and it is expedient that its provisions be confirmed, and that the special assessment imposed by the school commissioners be made obligatory upon all the rate payers of the parish;

Whereas it is expedient to grant the prayer of this petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

By-law of 23  
December  
1878 declared  
valid and  
amount may  
be collected.

1. The by-law, adopted by the school commissioners of the said parish of St. Lin, on the twenty eighth day of December, one thousand eight hundred and seventy eight, to levy an amount of three thousand dollars and a further sum of seven and a half per cent, in order to build a girls' model school or academy in school district number two of the parish, and the special assessment roll made for levying the sum above mentioned with the percentage of seven and a half per cent, are declared binding for all lawful purposes whatsoever, and all amounts due under the said special assessment roll, may be levied upon all the tax-payers, who may owe the same, and may be recovered from them notwithstanding any judgments which may have been rendered upon the alleged irregularity or illegality of the special assessment roll, without prejudice however to the rights of the parties, under such judgments with respect to the costs which may have been allowed them.

Notwithstand-  
ing judg-  
ments.  
Proviso as  
costs thereon.

## CAP. LXXXI.

An Act to confirm the rights of ownership of Jean Olivier Chevretils, in the lots numbers 104, 105 and 110 of the cadastre of the parish of *Ste. Anne du Bout de l'Île*, in the county of Jacques Cartier.

[Assented to 30th June, 1881.]

**W**HEREAS on the twenty-ninth of December, one thousand eight hundred and sixty-six, the sheriff of the district of Montreal sold to Jean-Baptiste Decelles, mill-builder, of the parish of *Ste. Anne du Bout de l'Île*, in the district of Montreal, "a lot of land situate and being in the parish of *Ste. Anne du Bout de l'Île de Montreal*, of irregular form, containing what is comprised within the following limits, to wit: bounded in front by the Ottawa River, in rear partly by the public highway and partly by the cemetery; on one side to the North East, partly by Dosithee Crevier and partly by the said cemetery, the said lot terminating in a point; on the other side by the lot belonging to the late Colin Forbes; to be excepted however from the said lot, a piece of ground owned by the government, for communicating with the canal; containing about three thousand six hundred feet in superficies; together with a wooden saw-mill, seized under execution in a suit in which the said Jean-Baptiste Decelles was plaintiff and Edward Thomas Jones was defendant;

Whereas Jean-Baptiste Decelles continued in possession of the said lot from the said date, until the thirtieth of June 1877, when he was put into insolvency;

Whereas Louis A. Auger, official assignee of St. Johns, Iberville, was appointed assignee of the insolvent estate of the said Jean-Baptiste Decelles and, in his quality as such, did, on the seventh day of January, one thousand eight hundred and seventy-eight, proceed to sell the immovable above described, in two separate portions and adjudged the same to the Reverend Georges L. Chevretils;

Whereas, with the consent of the inspector of the said insolvent estate and of the purchaser, the said assignee did obtain from the Superior Court, sitting at St. Johns, an order limiting the publication of new notices of sale, to one month, the first sale being considered illegal and null by all the parties interested, inasmuch as the cadastre of the county of Jacques Cartier had come into force and as the lot above described was shewn on the cadastre, under three numbers, to wit: one hundred and four, one hundred and five, and one hundred and ten of the parish of *Ste. Anne du Bout de l'Île*, but it was, by omission, not designated under such numbers in the notices;

Whereas, in the new notices of sale, the assignee did, however, only mention the official numbers one hundred and five and one hundred and ten, omitting, by error, to mention the number one hundred and four, although the intention of the assignee and of all the other parties interested was to sell the lots under the three numbers, and whereas, in fact the lot comprised under the above three numbers was adjudged, *en bloc*, by the assignee to Jean Olivier Chevrefils, on the twenty-sixth day of February, one thousand eight hundred and seventy-eight, although mention was made only of the numbers one hundred and five and one hundred and ten, the purchaser being under the impression that he purchased the three lots.

Whereas the adjudication took place on the said twenty-sixth day of February, one thousand eight hundred and seventy-eight, and the first notice of the sale was published in the *Quebec Official Gazette*, on the twenty-sixth day of January previous ;

Whereas doubts have arisen as to the right of ownership, conferred upon the purchaser, in the three lots under the official numbers one hundred and four, one hundred and five and one hundred and ten, by the deed of sale, passed in favor of the latter (Jean Olivier Chevrefils) by the assignee, Louis A. Auger ;

Whereas, by his petition, the said Jean Olivier Chevrefils has prayed the Legislature of Quebec for relief, and, in order to remove all doubts as to his right of ownership in the said lots, to pass an act to ratify and confirm his title thereto ;

And whereas, it is expedient to grant his prayer ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Deed of sale  
of March 1,  
1878, declared  
valid.

1. The deed of sale, passed on the first day of March, one thousand eight hundred and seventy-eight, before H. P. Pepin, Notary, from Louis A. Auger to Jean Olivier Chevrefils, is ratified and confirmed, and declared valid for all lawful purposes whatsoever.

Right of  
ownership of  
certain lands  
conferred  
to J. O.  
Chevrefils.

2. The right of ownership of the said Jean Olivier Chevrefils, in the three lots numbers one hundred and four, one hundred and five and one hundred and ten, on the official plan and in the book of reference of the parish of *Ste. Anne du Bout de l'Ile*, in the county of Jacques Cartier, is ratified and confirmed, and the said Jean Olivier Chevrefils is declared to have been the owner of the three lots aforesaid, dating from the adjudication to him made on the twenty-sixth day of February one thousand eight hundred and seventy-eight, by the assignee of the insolvent estate of Jean Baptiste Decelles.

3. This act shall not affect pending cases and shall come into force on the day of its sanction.

Not to affect  
pending cases.  
Act in force.

## CAP. LXXXII.

An Act to facilitate the payment of the debt contracted and of the expenses to be incurred in building the Catholic Church of the parish of St. Jean Baptiste de Montreal, and to amend the act, 43-44 Victoria, chapter 37.

[Assented to 30<sup>th</sup> June, 1881.]

**W**HEREAS there has been built, in the parish of St. Jean Baptiste de Montreal, in the diocese of Montreal, a church, presbytery and dependencies, the cost whereof has been partly paid by means of voluntary contributions and by the Fabrique of the said parish, and for the greater part by means of sums advanced by the Roman Catholic Episcopal corporation of Montreal or borrowed on the responsibility of the said corporation ;

Whereas such buildings have been for many years, used for purposes of Divine Worship by the Catholics of the said parish, who have hitherto contributed nothing towards such buildings ;

Whereas there remains due to the Roman Catholic Episcopal Corporation of Montreal on the cost of the said buildings, a sum of about sixty four thousand dollars ;

Whereas the Fabrique of the said parish is willing to undertake to pay sixteen thousand dollars on the amount of the said debt, but declares that it can pay no more, from and out of the revenues at its disposal ; and the said Roman Catholic Episcopal Corporation consents to accept thirty-two thousand dollars in payment of such debt and to cede to the Fabrique, upon payment of such sum, the church, presbytery and dependencies as well as the land upon which they are erected ;

Whereas the said church is not finished and certain work to its interior is urgently required ;

Whereas at a meeting of the free-holders of the said parish, duly convened and held on the twenty-seventh day of February, one thousand eight hundred and eighty-one, it was resolved that an assessment be levied on the catholic free-holders of the parish in order to raise : 1. a sum of sixteen thousand dollars to be employed in the partial payment of the debt already incurred in constructing the said buildings ; 2. another sum not exceeding twelve thousand dollars to pay for the cost of the work to be done in the interior of the said church ; 3. a sum sufficient to meet the costs to be incurred in having the present act passed and its provisions carried out, as well as the interest on the two sums above mentioned ;

Whereas the said resolution was adopted on certain conditions, and the said meeting asked that the fulfilment of such conditions be permitted and assured by an act of the Legislature of this province;

Whereas a petition has been presented to that effect and it is expedient to grant the same;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

*Fabrique of parish St. Jean Bte. de Montreal may levy an assessment.*

1. The *Fabrique* of the parish of St. Jean Baptiste de Montreal, in the diocese of Montreal, may, in virtue of the authority given it by a meeting of the free-holders of the said parish, held on the twenty-seventh day of February one thousand eight hundred and eighty-one, apply to the commissioners, appointed and acting under the authority of chapter 18 of the Consolidated Statutes for Lower Canada, to obtain permission for the churchwardens to levy, by means of an act of assessment, on the Catholic free-holders of the parish: 1. a sum of sixteen thousand dollars to be employed in the partial payment of the debt already contracted in building the said church for Divine Worship by the Catholics of the said parish as well as the presbytery and dependencies; 2. a further sum not exceeding twelve thousand dollars to pay the cost of the work to be done in the interior of the church; 3. a sum sufficient to meet the expenses incurred in having the present act passed and in carrying out its provisions, as well as the interest on the two sums of sixteen thousand dollars and twelve thousand dollars above-mentioned.

*How levied.*

2. These various sums shall be united into one and be levied by one and the same act of assessment, and the proceedings for the whole shall be had, as in the cases provided for by section four of the act, 29 Victoria, chapter 52; but the number of terms or dates of payment may be extended to fifty years.

*Fabrique may borrow money.*

3. The *fabrique* may effect a loan in the manner required by law, for the purpose of paying the said sums in whole or in part; and thereupon the number, the terms or dates of payments of the assessment may be so fixed as to comply with the conditions of such loan, provided always that they shall not extend beyond fifty years.

*Property of church, &c., to be transferred to fabrique upon certain payments being made.*

4. The Roman Catholic Episcopal Corporation of Montreal, shall, when the *Fabrique* of the parish of St. Jean Baptiste of Montreal shall have paid it the sum of thirty two thousand dollars on the debt incurred for the construction of the said buildings, transfer the ownership thereof to it, as well as of the land on which they are built, free from all hypothecs and other charges.

5. For the purposes of the present act, three free-holders of the parish, eligible as church-wardens, shall be elected by the free-holders of the said parish, at a meeting duly convened; such election shall be held in the same manner as the elections of church-wardens in parishes where they are elected by a parish meeting.

Certain persons to act with church-wardens to carry out assessment.

The persons so elected shall act jointly with the church-wardens in office in such parish, and they shall have all their rights, powers, privileges and duties, but only in so far as relates to the act of assessment, the negotiation of the loan, the collection of the monies to be levied, their use and generally every thing connected with the present act.

In the event of a vacancy occurring, through the death of one of the persons so elected as aforesaid, or through any other cause, such vacancy shall be filled by another freeholder of the parish, eligible as a church-warden, who shall be elected in the manner above-mentioned.

6. The church-wardens in office and the three freehold inhabitants appointed to assist them, may, from time to time, but not oftener than once in every five years, on the authorization of the majority of a meeting of the catholic free-holders of the parish duly convened, make a new act of assessment, not to alter the total amount to be levied, but to apportion such amount more equitably, according to the actual value of each property.

How act of assessment may be made and when.

Each such new apportionment shall be made in the same manner as the first.

7. With the exception of the special provisions hereinabove contained, all proceedings connected with the assessment authorized by this act shall be subject to the laws governing such matters.

Subject to certain rules.

8. The preceding provisions of this act shall not affect, in any way, the rights of Messrs. Ferdinand David, Sévère Rivard, Michel Laurent and Gustave Adolphe Drolet, resulting from a deed of donation *inter vivos* by them granted in favor of the Roman Catholic Episcopal corporation of Montreal, passed on the thirteenth day of June, one thousand eight hundred and seventy-two, before E. P. Fréchette, notary, and registered in the registration division of Montreal on the eleventh day of July, one thousand eight hundred and seventy-two, under the number 68,192.

Certain rights not affected.

9. Whereas it is desirable that the provisions of section six of this act be extended to the assessment which the Fabrique of the parish of St. Henri des Tanneries, diocese of Montreal, was authorized to levy by the act,

Provisions of section 6 extended to the assessment authorized to

be made by  
*fabrique* of St.  
Henri des  
Tanneries.

43-44 Victoria, chapter 37, the church-wardens in office of the parish of St. Henri des Tanneries and the two citizens associated with them for the purposes of the act cited in this section, may from time to time, but not oftener than once in every five years, on the authorization of the majority of a meeting of the catholic free-holders of the parish duly convened, make a new assessment, not for the purpose of altering the total amount to be levied, but to apportion such amount more equitably, according to the actual value of each property.

Each such new assessment shall be made in the same manner as the first.

Act in force.

10. This act shall come into force on the days of its sanction.

### CAP. LXXXIII.

An Act to authorize the *Fabrique* of the parish of *Notre-Dame de Montréal* to issue debentures to a definite amount.

[Assented to 30th June, 1881.]

Preamble.

WHEREAS the *Fabrique* of the parish of *Notre-Dame de Montréal*, with the approval of his Lordship, Edouard Charles Fabre, Bishop of Montreal, has, by its petition, set forth that, for the purpose of gradually extinguishing the debt which it owes, it would be of great benefit to it to be authorized to issue debentures or bonds to a limited amount and payable to bearer within a definite delay, and to redeem the same by means of a sinking fund; and whereas it is expedient to grant the prayer of the said petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

*Fabrique* of  
parish of Notre  
Dame de  
Montreal may  
issue debentures.

1. The *Fabrique* of the parish of *Notre-Dame de Montréal* is authorized to issue debentures, payable to bearer, to the amount of one hundred and sixty thousand dollars.

Of two kinds.

2. The said debentures may be of two kinds:

1. Those redeemable within a definite delay, not exceeding forty-five years from their respective dates;

2. Those redeemable within the same term, but at different determined periods, by means of a drawing of numbers.

3. The proceeds of the sale of such debentures shall be employed by the *Fabrique* in redeeming such portion of its existing debt as bears interest. Proceeds how to be employed.

4. The debentures shall bear interest, of which the rate and date of payment shall be determined by the *Fabrique*, but such rate shall not exceed that authorized by the laws in force in this province. Rate of interest upon debentures.

5. The drawing of the debentures, redeemable by means of the drawing of numbers, shall be effected in presence of the members of the *Fabrique* board. Drawing how effected.

6. Within eight days from such drawing, the numbers drawn shall be posted up in the office of the *Fabrique* and published, during one week, in two daily newspapers of Montreal, one in the English and the other in the French language. Publication of numbers drawn.

7. The debentures designated by lot shall be redeemable on the day indicated in the notice, which shall not be less than thirty days after the first publication thereof. Debentures thus designated when redeemed.

From and after such day the interest on such debentures shall of right cease to run. Interest to cease thereon.

8. The debentures redeemed by such drawing of numbers shall be at once cancelled by means of a stamp. How cancelled.

9. The *Fabrique* shall, during the course of the month of January, in each year, deposit in an incorporated bank or savings bank, a sinking fund of at least one per cent on the amount of the debentures so sold during the preceding year. Fabrique to deposit moneys.

This sinking fund may also be employed in redeeming debentures issued by the *Fabrique* in virtue of this act, or invested in public securities, in the debentures or stock of corporations or in hypothecary claims. Employment of sinking fund.

10. The debentures, issued in virtue of the present act, shall be signed by the *Curé* and first church-warden in office, and countersigned by the secretary-treasurer. Debentures how to be signed.

11. The debentures, issued in virtue of the present act, shall be entered in a register, with their number and date of issue, and this register shall be submitted for the inspection of the members of the *Fabrique*, in general meeting assembled, at the end of each year. Debentures to be registered and how.

12. The present act shall come into force on the day of its sanction. Act in force.



## CAP. LXXXIV.

An Act to authorize the Trustees for the Parish of St. Gabriel de Stratford to make a new act of assessment.

[Assented to 30th June, 1881.]

## Preamble.

**W**HEREAS the trustees of the Parish of St. Gabriel de Stratford, in the diocese of Sherbrooke, have by petition represented that an act of assessment was made, in the year one thousand eight hundred and seventy-two for the purpose of defraying the expense of building a church and sacristy, and whereas such act was duly confirmed and homologated by the civil commissioners in the month of November, of the same year; that an irregularity exists in such act of assessment, inasmuch as only the names of the proprietors, for the time being, were mentioned in the said assessment and not the numbers and designation of their respective property; that the amounts payable under the assessment were to become due within three years from its date, and a portion of such amount is still due but it has become difficult, in consequence of such irregularity and the changes in the ownership of the properties, to collect the same and pay the balance of the debt contracted for the erection of the church and sacristy; whereas the trustees have in consequence prayed that they be authorized to make a new act of assessment; and considering that it is expedient to grant their prayer, but upon the condition that those, who have paid their assessment as established by the irregular act of assessment, shall be free from such new assessment to the amount so paid up by them; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, declares and enacts as follows:

Trustees of  
St. Gabriel de  
Stratford may  
make new act  
of assessment  
for certain  
purposes.

1. The trustees for the parish of St. Gabriel de Stratford are authorized to levy upon the catholic freeholders of the parish the sum necessary to make up the amount of the expenditure, incurred for the construction of the church and sacristy and to cover the costs of this act, and the act of assessment, and for this purpose to prepare a new act of assessment in the form required by chapter eighteen of the Consolidated Statutes for Lower-Canada and its amendments.

How homologated.

2. The act of assessment so made shall be homologated by the civil commissioners in the diocese of Sherbrooke after deposit and notice given in accordance with the statutes mentioned in the preceding section.

3. All sums of money levied under this new act of assessment may be collected, exacted and recovered from the proprietor of the immoveable taxed, at the end of three months from the date of the homologation of the act of assessment with interest from such delay, but credit shall be given for all sums already contributed for such erection by such proprietor or by his *auteur*.

Money how levied under new act of assessment.  
Proviso as to amounts already paid.

4. The assessment levied by the new act of assessment shall be a privileged claim upon the immoveable assessed in accordance with article 2009 and 2011 of the Civil Code.

Assessment to be privileged claim under c. c., art. 2009 and 2011.

## CAP. LXXXV.

An Act to order the re-opening of a by-road in the Parish of St. George de Henriville, in the County of Iberville.

[Assented to 30th June, 1881.]

WHEREAS by petitions of the municipal councils and of the rate-payers of the parish of St. George de Henriville in the county of Iberville, and of the parish of St. George de Clarenceville, in the county of Missisquoi, it is represented that the re-opening of the by-road, leading from the division line separating the said parishes, that is to say, between the Mandigo and the Adams properties, to the public highway in the Mosher range, in the said parish of St. George de Henriville, formerly known as the "Adams road," and which was in existence from the year 1835 to the year 1859, has become necessary; and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

1. It is hereby ordained that the by-road, leading from the division line between the two parishes aforesaid to the public highway in the Mosher range of the said parish of St. George de Henriville, formerly known as the "Adams road" and which was in existence from the year 1835 to the year 1859, be re-opened.

By-road in St. George de Henriville, re-opened.

2. The said by-road shall be re-made, repaired and maintained of the same width as at present, except that portion of the said road which is not eighteen feet wide and which shall be made of the width of eighteen feet. And such by-road shall be re-made, repaired and maintained at the same level as at present; nevertheless that portion of the said road which is to be only eighteen feet in width shall be raised to the level of the highest part of the said road.

How to be re-made, repaired, &c.

Bridge over  
Rivière du  
Sud.

3. At the place where the said by-road crosses the Rivière du Sud, there shall be built a bridge, in accordance with the plans, measurements and specifications approved or to be approved by the municipal councils of the two parishes aforesaid.

Specification  
of bridge.

4. In the event of the said two councils being unable to agree, the said bridge shall be built as follows :

1. The bridge shall be fifty-five feet between the abutments.

2. It shall rest on two piers or abutments of stone, built of dry masonry, being six feet at the base and four feet at the summit, which shall be six inches above the level of the Adams road, in the vicinity of the piers of the old bridge. These piers shall be twenty feet wide at the base and eighteen feet at the top, with a batter of one foot on each side.

The foundations shall be excavated to the bed rock, so as to prevent settling and the effects of frost.

The facing shall be at least two feet and a half from one side to the other, and shall be laid on the flat-side, with an intermediate course of shorter stones to break the joints.

On the north east side of the bridge, there shall be built two buttresses, each six feet wide, in rear of the piers, having the same batter as the front of the piers, and be made of the same sized stone as the facings.

3. In the middle of the space or channel between the two piers, there shall be built two trestles of wood-work ; each trestle shall consist of one piece laid horizontally at the bottom of the river and which shall be eighteen feet long, and in which shall be inserted, with tenon and mortise, three posts, one of which shall be in the centre and perpendicular, and another within a foot from each end of the base, the upper ends of each reaching within a foot of the centre post, the whole three to be covered by a stringer sixteen feet long, to which the three posts shall be joined, to the depth of one-half its thickness, with tenon and mortise, in the centre, and one foot from the end of the stringer rail.

The posts of each trestle shall be bound together by trusses, four to each trestle, one end of the lower truss shall be inserted in the angle formed by the centre post and the lower piece, and the other end about the middle of the outer posts ; one end of the upper trusses shall also be inserted in the angle formed by the junction of the upper stringer with the outer posts, and the other end about the middle of the centre post.

The stringer and posts shall be one foot square, and the tenons at each end of the posts shall be three inches by twelve. The trusses shall be seven inches by eight, and their tenons shall also be three inches by eight and shall pass right through the posts, so as to be solidly pinned by means of oak pins. All the trestles shall be bound, one to the other, by means of four braces, four feet long by seven by eight inches, with tenons, three inches by eight, at each end, one between the front and the other between the rear posts, a little below the lower trusses, and two between the upper stringer, a little inside of the outer posts. The tenons shall be mortised into the posts, in the rails they shall go right through, so as to allow of their being solidly pinned by means of oak pins.

All the wood required for these trestles shall be of first quality, sound, white oak. Nevertheless the lower piece may be of any kind of sound wood. The height of the trestles shall be nine and a half feet above the bed of the Riviere du Sud.

4. The bridge shall be rebuilt with stringers, two of which shall stretch from each pier to the trestles; each stringer being supported by a large girder thirty feet and a half in length, and ten inches by eight, laid on its narrow side, one end of which shall rest on top of the piers, and the other end shall rest on top of the trestles and shall be composed of two pieces of wood, ten inches by eight, laid on their narrow side, and joining in the middle of the span at least five feet above the girder, the other end being fastened in the girder by cutting a notch sufficiently deep, about three feet from the end, and there joined to the girder by an iron bolt an inch and a quarter in diameter, traversing both stringer and girder.

The stringers on either side of the bridge shall be joined, the one to the other, by means of a rail, to serve as a hand-rail, seven inches by eight laid on its widest face, each end of which shall rest on the stringer and be securely fastened with an iron bolt of the size above mentioned. In order to complete such hand-rail another rail seven inches by eight, laid on its wide face shall be placed upon the stringer at each end of the bridge, joined at one end to the stringer by an iron bolt of the size aforesaid and at the other end, with tenon and mortise, in half wood, to a post seven inches by eight, three feet long, the lower end of which shall be attached to the end of the girder by means of an iron bar bent so as to go round such post and attached to the girder, with wrought-iron spikes.

To render the bridge more solid, there shall be placed under each span, in the centre thereof, a cross beam nine

inches in height by eight in width, twenty-six feet long, laid on its narrowest face and joined to the middle of the stringer by an iron bolt, an inch and a half in diameter traversing, at one end, the stringer, and at the other end, the girder and cross-beam, and secured under the cross-beam by a welded head and on the stringer by a nut and a cap or washer, the said cap being made so as to cover the end of the stringer and to be four inches wide, half an inch thick and two feet long ; in addition, the stringer shall be made solid by means of iron bolts an inch and a half in diameter, traversing the arch at its summit, and the end of the cross-beam extending beyond the arch, having a welded head at one end and a nut at the other. All the other bolts, above mentioned, shall have a welded head at one end and at the other a nut or screw and cap or washer. All the wood above-mentioned for the construction of the bridge shall be white oak or grey ash, quite sound and of first quality.

The arches shall be covered from their tops to under the girders with first quality, dry hemlock boards, with good battens, also of dry hemlock, on the joints, to protect all the woodwork against dampness.

5. The covering of the arches and rails of the hand-rails shall be made with a ridge so as to exceed the planking by two inches on each side, of hemlock boards, quite dry and of first quality, with good battens, also of dry hemlock, on the joints. The planks shall be joined by bevel joints.

6. The planking over each span shall rest on five girders of the same dimensions as the girders supporting the arches, and laid on their narrow face at a suitable distance from each other, and from the side ones, with one end resting on the top of the piers at the centre of the cross-beam and the other on the trestles, and shall consist of hemlock deals of first quality, straight grained and without bad knots, three inches thick, and fourteen feet long, so that the bridge with girders and boarding shall be sixteen feet wide.

7. The abutments, at each end of the bridge, shall be sloped down with stones and earth to a length of seven feet so as to conform to the roofing. The space, between the end of the girders and the extremity of the girders resting on the piers, shall be filled up with large flat stones, so as to prevent the girders from moving in any direction.

Drainage provided for.

5. In order to drain off the water, three sluice-ways shall be made, one near the division line between the first and second concessions, one at a distance of five hundred

feet to the south-east of the first, and the other two hundred feet to the north-west of the division line between the first and second concessions, and others if ordered by the said municipalities.

The sluice-ways shall be of such dimensions and made in such manner as may be ordered by the councils of the said municipalities. In the event of the said councils being unable to agree, the sluice-ways shall be made as follows :

They shall be fifteen feet long and the width of the road, of a depth equal to that of the ditches along the road, with abutments on each side, three feet wide by fifteen feet in length and a foot higher than the road, and resting on foundations secured from the attacks of frost ; their abutments shall be built of good dry masonry, of good, large stones, with a covering at least three feet thick, supported by six good girders of white oak, nineteen feet long and ten inches by eight, laid on their narrowest face. This covering shall be at least fourteen feet wide and be made of good hemlock deals, quite sound and of first quality. Railings shall be placed on each side of good wood and of suitable dimensions.

6. Fences of cedar posts and No. 8 wire shall be placed <sup>Fencing.</sup> along both sides of the road in the following manner, that is to say ; inside the ditches bordering the same on every part of the road which is less than twenty-six feet wide, and outside the ditches bordering the same, throughout the remainder of the said road.

7. The construction of the bridge shall be ordered and decided upon, in the manner and with the formalities <sup>Formalities to be observed before constructing bridge.</sup> indicated in the municipal code, by the municipality of the parish of St. George de Clarenceville, which shall have the right to exact and levy one half of the cost thereof, as well as one half of the costs of the proceedings, from the municipality of St. George de Henriville.

8. Either of the said municipalities may, when it deems <sup>Bridge how repaired.</sup> it necessary, order the repairing of the bridge at the common cost of both ; the municipality which shall order such repairs shall be entitled to exact and levy one half <sup>Levying of half cost.</sup> of the cost and expenses thereof from the other municipality.

9. That portion of the road extending from its south-eastern extremity, that is to say, from the parish line to eight perches from the bridge, as well as the fences <sup>Certain portion of road by whom to be maintained.</sup> and ditches on each side of the same, shall be made, repaired and kept in order, as a front road, by the owners of lands crossed by the said road.

The same.

**10.** The opening and repairing and maintenance of that portion of the road, eight perches in length on the south-east side of the said bridge, and the fences on each side, and the ditches on both sides of the same, if necessary, shall be made by the owner of lot number four in the first concession on the north-east side of the Rivière du Sud, and now the property of Samuel J. Adams.

Certain portion of road to be at charges of municipality of St. George de Clarenceville.

**11.** The opening, repairing and maintenance of that portion of the road, from the bridge to the division-line between the first and second concessions, including the making, repairing and maintenance of the fences on the north-east side of the said section, and of the ditch on the north-east side of the said section, if necessary, as well as the making and maintenance of the two sluice-ways hereinabove firstly and secondly designated, shall be done by the municipality of the parish of St. George de Clarenceville, and shall be entirely under the control of that municipality, as if such portion of the road were situate within the limits of the said municipality.

Fence by whom repaired.

As to the fence on the south-west side of the same section and ditch on the same side, if necessary, they shall be made, repaired and maintained by the owners of lots, numbers five and six of the said first concession, intersected by the said road and now the property of David Adams, (first.)

Certain portion of road to be at charges of municipality of St. George de Henriville.

**12.** The opening, repairing and maintenance of that portion of the road, extending from the division line between the first and second concessions to the public highway in the Mosher range, as well as the construction and maintenance of the sluice-way hereinabove thirdly designated, as well as the construction and maintenance of the fence and ditch of the said section, shall be at the expense of the municipality of St. George de Henriville.

Compensation to J. K. Elliot, by whom to be paid.

The compensation to be paid, if any be claimed by John Knox Elliot, for the land to be taken from his property for a portion of the road shall be paid one-half by each municipality; such compensation shall be settled by experts, in accordance with the provisions of the municipal code.

Levying of amounts in municipalities for work.

**13.** The works and payments to be made by each municipality, shall be made, apportioned and levied according to the by-laws in force, when such works are performed, respecting the performance of municipal work in each of the said municipalities.

Road may be temporarily closed in certain cases.

**14.** When the water in the Rivière du Sud shall rise, to such an extent as to render traffic on the road dangerous, either of the municipalities may order it to be temporarily

closed until the water has fallen, and so soon as this shall have been ordered, both of the municipalities shall cease to be liable for damages caused by accidents to persons passing along the road while it is declared closed.

**15.** All the work above-prescribed shall be commenced on or before the first of October, eighteen hundred and eighty one and concluded on or before the first of June eighteen hundred and eighty two. Commence-ment and completion of work.

**16.** The costs and disbursements incurred in obtaining the passing of the present act, shall be borne in common by the two municipalities aforesaid. Costs of this act how borne.

**17.** The present act shall come into force on the day of its sanction. Act in force.

### CAP. LXXXVI.

An Act to authorise the sale of certain properties substituted under the will of the late George Burns Symes.

[Assented to 30th June, 1881.]

**W**HEREAS by the will of the late George Burns Symes, in his lifetime of the City of Quebec, Esquire, merchant, passed before Macpherson and his colleague, Notaries Public, on the twenty fourth day of December, one thousand eight hundred and fifty eight, he did give, devise and bequeath unto Dame Marie Anne Claire Symes, his daughter, now wife of Napoleon Hugues Charles Marie Ghislain Maret, Marquis de Bassano, (after making sundry particular legacies,) all the rest, residue and remainder of his estate, during her natural life only, if, after her decease she left a child or children lawfully begotten, but in full property to herself, if no child or children, of her lawfully begotten, should live to attain the age of twenty-one years or should die (without leaving lawful issue) before her and in her life-time; Preamble.

And whereas among the immoveable properties thus held by her, as Institute, are to be found the following, that is to say :

1. A lot of land, with two cut-stone houses and other dependencies thereon erected, known as the south-west two thirds of lot number eighty-eight of the official plan or cadastre for St. Antoine Ward, of the City of Montreal ;

2. A lot of land, with a house on Mount Carmel Street, designated as number two thousand five hundred and



sixty-eight on the official plan or cadastre of St. Lewis Ward, of the city of Quebec ;

3. A lot of land with a house on Fabrique Street, designated as number two thousand eight hundred and thirteen on the official plan or cadastre of St. Lewis Ward, of the city of Quebec ;

4. The constituted rents, representing the *cens et rentes* of the Barony and Seignior of Portneuf, having a frontage of one league and a half on the river Saint-Lawrence, by a depth running in a northeasterly direction from the said river, of three leagues, together with the following properties situated therein :

a. A lot of land in the parish of Portneuf, containing one hundred and twenty one arpents and twenty-six perches, composed of cadastral lots numbers 6, 248, 259, and 256 B, with the water-powers, buildings and machinery of the paper-mill, as fully described by the inventory made by A. O. Mayrand, notary public and Moïse Brière, in the month of January, one thousand eight hundred and seventy-five ;

b. A lot of land in the Parish of Portneuf, composed of cadastral lots numbers 223 and 14 A, containing in all one hundred and fifty five arpents and ninety-three perches, with the ruins of the old paper-mill and other buildings ;

c. A lot of land in the parish of Portneuf, being part of cadastral lot number 14 A, measuring two arpents in front by twenty-four in depth, with barns and old store-house ;

d. A lot of land in the village of Portneuf, being cadastral lot number 61, containing three arpents and forty-six perches in superficies, with the grist-mill, saw-mill, machinery and outbuildings ;

e. A lot of land in the village of Portneuf, being lot number 33 of the cadastral plan, containing five arpents and sixty-three perches in superficies, with the nail-factory, carding-mill and machinery and other buildings ;

f. The wharf at Portneuf, (being a lot of land on the bank of the river Saint-Lawrence, at the mouth of the river Portneuf), with all the water-privileges thereunto belonging, being lot number 98 of the cadastral plan of the village of Portneuf, containing an area of two arpents and sixty-eight perches, with the buildings thereon ;

g. The rights in and upon one-half of an arpent of land on the east side of the wharf, and a certain portion of land on the west side thereof ;

*h.* The unconceded wood-lands, in the parish of Port-neuf, known as cadastral lots number 230, 334, half of 383, 462, 464, half of 468, 463, 494, 495, 496, 497, 498 and 508, containing, in all, one thousand one hundred and twelve arpents and sixty-one perches in superficies, more or less ;

And whereas the matrimonial domicile of the Institute and her husband is not in the Dominion of Canada, but in Europe, and that there are now living children, issue of their marriage, all minors ;

And whereas it has been represented, by the petition of the said Institute and her husband, that the above described immovables are deteriorating in value, becoming dilapidated and going to decay, and that they are expensive and unproductive, more especially on account of the distance therefrom of the domicile of the Institute, and that it has become necessary, as well in her interest as in that of the substitutes, her children, that the same should be sold to the best advantage and the price thereof invested according to law ;

And whereas it is expedient to grant the prayer of the said petition ;

Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The Institute may, authorised by her husband, with the permission of a Judge of the Superior Court, to be obtained, founded upon the report of a sworn Expert or Experts, as to the respective values of the immoveable properties, submitted to a family council, and upon the advice thereof, assisted by the Curator duly appointed to the substitution, sell by deed, to which the said Curator shall be a party, any one or all of the immoveable properties, from time to time, either separately or together, at private sale or by public auction, or partly by one mode and partly by the other ; and, in the case of each property, either for one sum in cash or for a constituted annual rent ; or partly for cash and partly by several instalments, bearing interest at the legal or at any other rate which may be lawfully stipulated. The balance remaining unpaid shall be, in all cases, secured with the vendor's privilege upon the property sold to such person or persons, Company or Corporation, and for such price and upon such terms and conditions as she, authorised as aforesaid, and the Curator, may deem just and reasonable ; provided that, in every case, such price be not less than that at which such property shall have been estimated and valued by an Expert, as aforesaid.

*Mme Bassano,*  
authorized to  
sell certain  
lands, &c.

2. Such deed of sale shall be valid and effectual, in conveying the title to such real estate, to all intents and

*Effect of deed  
of sale.*

purposes, as if made by the testator himself, and there shall be no liability on the part of the purchaser or purchasers to see to the application of the purchase money.

Proceeds of  
sale by whom  
received.

3. The proceeds of such sale or sales, as shall be made, from time to time, shall be received by the Institute and the said Curator to the substitution jointly, and their discharge shall be good and valid.

Proceeds how  
invested.

4. The proceeds shall be invested in the province of Quebec, in the name of the substitution, by the Institute and the Curator jointly, in accordance with the terms of the substitution, and according to the act 42-43 Victoria, chapter 30.

Proceeds may  
be withdrawn  
and re-in-  
vested.

5. The institute, assisted by the Curator aforesaid, may withdraw and reinvest the said funds, provided that such re-investment be made as abovementioned.

Attorney may  
act for Mme  
Bassano.

6. The institute may lawfully appoint a special attorney to join, on her behalf, with the curator to the substitution, in all sales of the substituted property and in the investment and re-investment of the proceeds thereof, as effectually as if the institute and her husband were domiciled within the Province of Quebec.

Certain claims  
not affected.

7. Provided always, that nothing in the present act shall be held to affect, in any way, the right of persons having claims upon the said immoveable properties, hypothecary or otherwise, apart from the claims of the substitutes.

## C A P . L X X X V I I .

An Act to authorize the exchange and sale of certain real estates and immoveables, subject to substitution by donation deeds from Duke Roberts to Edward L. Roberts, Silas Stewart Roberts, and their children.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS, at the village of Waterloo, in the district of Bedford, on the twenty-third day of March, one thousand eight hundred and seventy-eight, by virtue of a deed of donation, passed before Thomas Brassard, notary public, and duly registered in the registry office of the county of Shefford, Duke Roberts, of the township of Shefford, in the aforesaid district of Bedford, farmer and trader, did give and grant unto his son Edward L. Roberts, in usufruct and unto the children, issue and to be born of the marriage

of the said Edward Roberts, with Dame Emily C. Hungerford or of any subsequent marriage, in ownership, a certain piece of land, known and distinguished as parts of the lots numbers two and three, in the second range of lots of the township of Shefford aforesaid, supposed to contain two hundred acres of land in superficies, more or less ;

Whereas a large proportion of the said land has not been cleared nor brought under cultivation ;

Whereas, on account of ill-health and insufficient capital, the said Edward L. Roberts, cannot clear the said land and make the improvements thereon requisite to cultivate the same profitably ;

Whereas the said land is deteriorating, and the present revenue and produce thereof are insufficient for the maintenance of the said Edward L. Roberts and his family ;

Whereas the said Duke Roberts has offered and is willing to give to the said Edward L. Roberts, in usufruct and to his children as aforesaid, in ownership, in exchange for the said land, certain other lots of land, now under cultivation and of greater value than the said land ;

Whereas the said first mentioned piece of land is free from all hypothecs, charges and encumbrances, saving the right of dower of the said Dame Emily C. Hungerford, as stipulated in the said deed of donation ;

Whereas it has been represented by the petition of the said Duke Roberts and Edward L. Roberts, that the said Edward L. Roberts and his children, as aforesaid, would greatly benefit by such exchange ;

And whereas it is expedient to authorize the said exchange ;

Moreover, whereas at the village of Waterloo aforesaid, on the nineteenth day of April, one thousand eight hundred and seventy-nine, by virtue of a deed of donation, passed before Thomas Brassard, notary public, and duly registered in the registry office of the county of Shefford, the hereinbefore named Duke Roberts did give and grant unto his son Silas, Stewart Roberts, in usufruct and unto the children issue and to be born of the marriage of the said Silas Stewart Roberts with Dame Elizabeth Sarah Edson, or of any subsequent marriage, in ownership, the immoveables hereinafter described, to wit :

1. The lot of land number five in the second range of lots of the aforesaid township of Shefford, supposed to be and contain two hundred acres of land in superficies, be the same more or less, with a two story brick house and a large barn and the outbuildings thereon, save and except the north end, fifty acres, now owned by Charles Knott ;

2. About thirty acres of land, more or less, of the lots numbers four and five in the first range of lots of the said

township of Shefford, bounded as follows : east by the lands of James Doonon, south by the Yamaska river, north by the concession line, and running west to a point in a mill pond, without buildings ;

Whereas the said Silas Stewart Roberts is suffering from lung disease, which entirely prevents him from working, and keeping in good order and repair and in a good state of cultivation, the said immoveables ;

Whereas the said Silas Stewart Roberts has not the means to have the said lands cultivated and kept in good order, and the said lands cannot be cultivated with advantage, and are deteriorating more and more, and it would be to the advantage of the said Silas Stewart Roberts and his children as aforesaid that he should be authorized to sell the same ;

Whereas the said last mentioned immovables are free from all hypothecs, charges and encumbrances, save the right dower of the said Dame Elizabeth Sarah Edson, as stipulated in the said deed of donation, secondly hereinabove mentioned ;

Whereas it has been represented, by the petition of the said Duke Roberts and Silas Stewart Roberts, that the said Silas Stewart Roberts and his children as aforesaid would greatly benefit by the sale of the said immovables and the investment of the proceeds thereof ;

And whereas it is expedient to sell the said tracts of land, hereinabove lastly described ;

Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

E. L. Roberts  
may exchange  
certain land.

1. The said Edward L. Roberts, jointly with the curator to the substitution, created by the deed of donation hereinabove firstly described, may, upon the advice of a family council, be authorized by a judge or prothonotary of the Superior Court for the Province of Quebec to cede and transfer to the said Duke Roberts the piece of land hereinabove firstly described, in exchange for such other lot or lots of land of value at least equal to that of the said piece of land as may by the family council be deemed advisable, and such other lot or lots of land, so acquired in exchange, shall be held by the said Edward L. Roberts, in usufruct and his children as aforesaid in ownership under the same title and subject to the same conditions and charges, as if such other lot or lots of land so acquired in exchange had been the subject of the deed of donation hereinabove firstly mentioned.

Value how  
ascertained.

2. The value of the lot or lots of land to be thus acquired, in exchange for the one described in the said deed of donation, hereinabove first mentioned, shall be

ascertained by two experts, one of whom shall be chosen by the institute and the other by the curator to the said substitution, the whole in conformity with the 1268th and following articles of the code of civil procedure. Provided always that such other lot or lots shall first be free and discharged from all hypothecs and claims whatsoever.

3. As soon as the said exchange shall have been effected, Sale after exchange. the said piece of land, described in the deed of donation hereinabove firstly mentioned, may be alienated by the said Duke Roberts, his heirs and assigns in like manner and with as good and valid a title, as though it had never been the subject of the aforesaid donation.

4. The said Silas Stewart Roberts, jointly with the S. S. Roberts may sell certain land. curator to the substitution, created by the deed of donation hereinabove secondly mentioned, may, upon the advice of a family council, be authorized by a judge of the Superior Court for the Province of Quebec, to sell and transfer the lots of land described in the deed of donation hereinabove secondly mentioned and to give and grant good and valid titles therefor; provided that the said lots of land be sold for a price not less than their value, as determined by two experts to be appointed in like manner as provided by section 2 of the present act.

5. The whole or a part of the price of the sale, so to be Purchase price how to be treated. made, may remain in the hands of the purchaser until the opening of the substitution or for a longer or shorter time, as may be stipulated, with the privilege of vendor, with such interest as may be legally agreed upon, payable to whom it may appertain.

Should the purchaser or purchasers fail, at any time, to If purchaser fails to pay. pay the interest payment or should he or they allow the property to deteriorate, such failure or neglect shall operate as a resolute condition and be a cause of dissolution of the sale.

6. The said Silas Stewart Roberts, jointly with the Receipt for purchase price. curator to the substitution, may receive at the period or periods and in the manner agreed upon, at the time of the said sale or at any other time thereafter, the price of the sale or any part thereof, and their discharge and acquittance shall be a valid discharge therefor; and the sum or Investments of proceeds. sums of money so received shall be by them jointly invested and applied, according to the provisions of the act, 42-43 Victoria, chapter 80, and such investment shall be subject to the conditions and terms of the substitution.

Land may be  
exchanged in  
lieu of being  
sold.

7. In lieu of the sale of the said lands, described in the deed of donation, hereinabove secondly mentioned, the said Silas Stewart Roberts, jointly with the curator to the substitution created by the said deed, may be authorized to effect an exchange of the said lands with the aforesaid Duke Roberts, in like manner and upon like terms and conditions as the exchange hereinabove authorized to be effected between Edward L. Roberts and the aforesaid Duke Roberts.

Act in force.

8. This act shall come into force on the day of its sanction.

### CAP. LXXXVIII.

An Act to confirm the Letters Patent issued in favor of the Montreal Abattoir Company, and remove all doubts with respect to the powers of the said Company.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS, by Letters Patent, issued under the Great Seal of the Province, on the twelfth of November, one thousand eight hundred and eighty, a company was incorporated under the provisions of the Joint Stock Companies Act, (31 Vict., chap. 25,) by the name of the "Montreal Abattoir Company," with a capital of two hundred thousand dollars, for the purpose of slaughtering animals, melting and manufacturing their tallow, utilizing their offal, heads, feet, entrails and blood, and generally to do the things which are usually done in public slaughter houses; whereas the said Company has since erected large buildings for the purpose of carrying on the above operations; and whereas the said Company has, by its petition, represented that doubts may arise as to the powers which it possesses under the Letters-Patent aforesaid, and it is expedient that such doubts be removed; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Letters patent  
confirmed.

1. The Letters Patent, issued as aforesaid, in favor of the "Montreal Abattoir Company" are, in so far as the same may be necessary, hereby confirmed, and power is hereby given to the said Company to slaughter animals, melt and manufacture their tallow, utilize their offal, heads, feet, entrails and blood, and generally to do the other things which are usually done in public slaughter-houses; provided that this act shall not affect pending cases, if any there are.

Act in force.

2. The present Act shall come into force on the day of its sanction.

CAP. LXXXIX.

An Act to authorize François Gosselin, of the parish of Sainte-Claire, to exact certain tolls on a bridge, which he has built across the Chaudière River, between the parishes of Sainte-Marie, County of Beauce, and Saint Bernard, County of Dorchester, and for other purposes.

[Assented to 30th June, 1881.]

**W**HEREAS François Gosselin, contractor, of the parish of Sainte-Claire, County of Dorchester, did, during the year one thousand eight hundred and seventy nine, build a bridge across the Chaudière River, between the parishes of Sainte-Marie, County of Beauce and of Saint Bernard, County of Dorchester, and has, by his petition, represented that it is in the interest of the public to retain such bridge in the above-mentioned place, and that such result cannot be attained, unless he be authorized to exact the tolls hereinafter mentioned for the use of the said bridge, and unless he be granted the right of way, to the exclusion of all other bridges or means of crossing for gain or lucre, during thirty years, for a distance, on the river, of one league above and one league below the said bridge; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Preamble.

1. As soon as the bridge, mentioned in the preamble, shall have been approved by the government engineer, and as soon as he shall have reported that the bridge is proper and suitable for the safe-crossing of foot-passengers, vehicles and animals, then thirty days after public notice of such approval shall have been given by the said engineer, by causing a copy of such notice to be posted up on the main door of the parochial churches of the parishes of St. Marie and St. Bernard, and by causing the notice to be read in a loud and intelligible voice on Sunday at the issue of Divine service, it shall be lawful for the said François Gosselin to ask, demand, receive and take for his own use and benefit, under the name of toll or pontage, before any passage over the said bridge, the several sums following, to wit :

Proceedings after bridge approved.

For every four wheeled vehicle, drawn by two horses.....	\$0 20	Rates of tolls.
For every four wheeled vehicle, drawn by one horse.....	0 10	
For every four wheeled vehicle, drawn by two oxen.....	0 10	



For every two wheeled vehicle, cariole or sleigh, drawn by one horse.....	0 08
For every additional horse .....	0 04
For every horse and rider.....	0 05
For every horse.....	0 04
For every ox and head of horned cattle.....	0 03
For every sheep or pig .....	0 02
For every foot-passenger.....	0 01

No bridge to  
be built by  
others.

2. So soon as the bridge shall be open for the use of the public as aforesaid, no person shall erect or cause to be erected, any bridge or bridges or works, or use or cause to be used, any means of passage for the conveyance of any persons, vehicles or cattle, for lucre or gain, across the said river, within the distance of one league above and one league below the bridge, which shall be measured along the banks of the river and following its windings, and any person or persons, who shall build or cause to be built a toll-bridge or toll-bridges, or who shall use or cause to be used for lucre or gain any other means of passage across the said river, for the conveyance of persons, vehicles or cattle, within such limits, shall pay to the said François Gosselin, three times the amount of the tolls imposed by the present act, for the persons, cattle or vehicles, which shall thus pass over such bridge or bridges, and if any person or persons, shall, at any time for lucre or gain, convey across the river any person or persons, cattle or vehicles, within the above-mentioned limits, such offender shall incur a penalty not exceeding ten dollars for each person, animal or vehicle which shall have thus passed the said river; provided always that nothing contained in the present act shall be of a nature to prevent any persons, cattle, vehicles or loads from crossing such river, within the said limits, by a ford, or in a canoe or other vessel, without charge.

Penalty.

Proviso.

Bridge to be  
kept in repair.

3. The said François Gosselin shall be obliged to maintain the bridge in good order and repair; and if it shall become unsafe for travelling, on complaint of ten persons addressed to the municipal corporation of the parish of Sainte Marie or of the parish of Saint Bernard, the said François Gosselin shall be obliged to make the same safe for persons, vehicles, loads or cattle, under a penalty of ten dollars for each day's neglect, after the service of the complaint upon him; which said penalty may be recovered by the corporation of the parish to whose council the complaint is addressed, and for its use; and if, upon examination and inspection by the government engineer, the bridge be condemned, the said François Gosselin shall be obliged to rebuild it within

If bridge con-  
demned to be  
rebuilt.

two years from the date of the service upon him of a notice of such condemnation, under penalty of forfeiting all the rights and privileges, granted to him by the present act; but during the two years the said François Gosselin shall have the right to make use of other means for crossing foot-passengers, cattle, vehicles and loads and charge the same tolls, as above mentioned, with, in addition, the rights and privileges granted him by the present act.

*Proviso as to temporary means of crossing and tolls.*

4. The Act to protect toll-bridges in this Province, 43-44 V. c. 30, 43-44 Vict., chap 30, shall apply to the bridge which forms the subject of this Act *to apply.*

5. All suits for infringement of the present act, may be instituted before the circuit court for the district of Beauce, or before any justice of the peace for the same district. *Suits where brought.*

6. This act shall come into force on the day of its sanction. *Act in force.*

### C A P. X C .

An Act to authorize David Roy, of the parish of St.-George, in the county of Beauce, to construct a toll-bridge over the River Chaudière

[Assented to 30th June, 1881.]

**W**HEREAS the construction of a toll-bridge over the river Chaudière, in the parish of St. George, in the county of Beauce, would greatly tend to promote the welfare and to facilitate the intercourse of the inhabitants of the said parish and of the neighbouring parishes, and whereas David Roy, of the said parish of St. George, has by petition, prayed to be authorized to construct such a toll-bridge in the said parish, and it is expedient to grant his prayer; Therefore, Her Majesty, by and with the consent of the Legislature of Quebec enacts as follows:

*Preamble.*

1 The said David Roy is authorized to erect and construct, at his own cost and expense, a toll-bridge over the River Chaudière, in the Parish of St. George, opposite or near the parish church and to erect and construct a toll-house and toll-gate with dependencies and approaches to the said bridge; provided that, after the expiration of eight years from the passing of this act, it shall and may be lawful for the municipality of St. George to assume the possession of the said bridge and dependencies, and to ac-

*David Roy authorized to build bridge over Chaudière and charge tolls.*

*Proviso.*

quire the ownership thereof, upon paying to the said David Roy the value which the same shall, at the time of such assumption, bear and be worth, with an addition of twenty per centum, and after such assumption it shall become a free bridge and shall be maintained by the municipality as such free bridge.

Proceeding  
after bridge is  
approved by  
government  
engineer.

2. So soon as the said bridge shall have been approved by the government engineer, and so soon as he shall have reported that the bridge is proper and suitable for the safe-crossing of foot-passengers, vehicles and animals, then thirty days, after public notice of such approval shall have been given by the said engineer by causing a copy of such notice to be posted up on the main door of the parochial church of the parish of St. George, and by causing the notice to be read in a loud and intelligible voice on Sunday at the issue the Divine service, it shall be lawful for the said David Roy to ask, demand, receive and take for his own use and benefit, under the name of toll or pontage, before any passage over the said bridge, the several sums following, to wit:

<b>Rates of toll.</b>	For every four wheeled vehicle, drawn by two horses.....	\$0 15
	For every four wheeled vehicle drawn by one horse.....	0 10
	For every four wheeled vehicle, drawn by two oxen.....	0 10
	For every two wheeled vehicle, cariole or sleigh, drawn by one horse.....	0 08
	For every additional horse.....	0 04
	For every horse and rider.....	0 05
	For every horse .....	0 04
	For every head of head horned cattle .....	0 02
	For every sheep or pig .....	0 02
	For every foot-passenger .....	0 01

No bridge to  
be built by  
others or tolls  
levied.

3. So soon as the bridge shall be open to the use of the public as aforesaid during thirty years no person shall erect or cause to be erected, any bridge or bridges or works, or use or cause to be used, any means of passage for the conveyance of any persons, vehicles or cattle for lucre or gain, across the said river, within the distance of one league above and one league below the bridge, which shall be measured along the banks of the river and following its windings; and any person or persons who shall build or cause to be built a toll-bridge or toll-bridges or who shall use or cause to be used, for lucre or gain, any other means of passage across the said river, for the conveyance of persons, vehicles or cattle, within such limits, shall pay

to the said David Roy, three times the amount of the tolls imposed by the present act, for the persons, cattle or vehicles, which shall thus pass over such bridge or bridges; and if any person or persons shall, at any time, for lucre or gain, convey across the river any person or persons, cattle or vehicles within the above-mentioned limits, such offender shall incur a penalty not exceeding ten dollars for each person, animal or vehicle which shall have thus passed the said river; provided always that nothing contained in the present act shall be of a nature to prevent any persons, cattle, vehicles or loads from crossing such river, within the said limits by a ford or in a canoe or other vessel, without charge.

4. The said David Roy shall be obliged to maintain the bridge in good order and repair, and if it shall become unsafe for travelling, on complaint of ten persons addressed to the municipal corporation of the parish of St. George, the said David Roy shall be obliged to make the same safe for persons, vehicles, loads and cattle, under a penalty of ten dollars for each day's neglect, after the service of the complaint upon him; which said penalty may be recovered by the corporation of the parish for its use; and if, upon examination and inspection by the government engineer, the bridge be condemned, the said David Roy shall be obliged to rebuild it within two years from the date of the service upon him of a notice of such condemnation, under penalty of forfeiting all the rights and privileges, granted to him by the present act; but during the two years the said David Roy shall have the right to make use of other means for crossing foot-passengers, cattle, vehicles and loads, and charge the same tolls, as above mentioned, with, in addition, the rights and privileges granted him by the present act.

5. The Act to protect toll-bridges in the Province, 43-44 Vict., chap 30, shall apply to the bridge which forms the subject of this Act.

6. All suits, for infringement of the present act, may be instituted before the circuit court for the district of Beauce, or before any justice of the peace for the same district.

7. The said David Roy shall build and complete the said bridge within one year from the passing of this act, and if it be not completed within such delay, so as to afford for the public a safe and convenient means of passage, the rights and privileges granted him by the present act shall lapse.

Proprietors of  
present bridge  
to be reim-  
bursed for cost  
of amount.

8. Whereas the firm of Gilbert, Cahill and Company did in the year eighteen hundred seventy five, build a trestle bridge over the Chaudière River, opposite the church of the parish of St. George, which has been used by the public since that date, which bridge is removed in the autumn and replaced in the following spring after the spring freshets, but whereas it is just that the said firm be reimbursed the amount expended by it in building such bridge and dependencies, after deducting the value of the materials remaining in their hands; therefore the said David Roy shall be obliged to pay to the said firm the amount expended by it in erecting the trestle bridge above mentioned and dependencies, after deducting however the value of the materials which will remain on hand.

Compensation  
how ascer-  
tained.

9. If, within a delay of one month from the passing of this act, the parties cannot agree as to the amount to be so paid by the said David Roy, such sum shall be fixed and determined by arbitrators.

Arbitration.

Each of the parties shall appoint an arbitrator, but if either of them neglects or refuses so to do, his arbitrator shall be appointed by the municipal council of the parish of St. George, on petition presented to it by the other party. The two arbitrators so appointed shall appoint a third, and if they cannot agree upon the choice thereof, such third arbitrator shall be appointed by the municipal council, on petition of either of the parties.

The award shall be rendered and given with all due diligence and shall be served upon the parties within eight days from its delivery. Each party shall pay one half of the costs of arbitration.

Arts. 1346,  
1351, to 1354,  
C. C. P., to  
apply.

Act in force.

10. Articles 1346, 1351, 1352, 1353 and 1354 of the Code of Civil Procedure shall apply to such arbitration.

11. This act shall come into force on the day of its sanction.

## C A P . X C I .

An Act to amend the Act 16 Vict, cap. 65, intituled : " An Act to authorize François Daigle and Alexis Dufresne to demand tolls upon a bridge which they have constructed on the Northern Branch of the River Yamaska.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS Elphège Dupont, of the parish of St. Damase and Clément Dupont, of St. Valérien de Milton have, by their petition, set forth ; that they are the

owners of the said bridge and have rebuilt the same and made considerable improvements thereto ; and whereas, by the said petition, they have prayed that the rates of tolls, authorized to be levied on the said bridge, be altered, and whereas it is expedient that the prayer of their said petition be granted : Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 5 of the said Act, 16 Vict., cap. 65, is amended <sup>16 V. c. 65, s. 5</sup> so as to read, as follows, with reference to the rates of toll : <sup>amended.</sup>

" For a vehicle drawn, by one horse.....	\$0 05	Rates of tolls
For a vehicle, drawn by two horses.....	0 08	
For each person on horseback.....	0 03	
For each ox and head of cattle.....	0 02	
For each vehicle.....	0 01	
For each person on foot.....	0 01	
For each sheep or pig.....	0 01	

## CAP. XCII.

An Act to authorize the Bar of the Province of Quebec to admit Joseph Eugène Lépine among its members.

[Assented to 30th June, 1881.]

**W**HEREAS Joseph Eugène Lépine, of the village of <sup>Preamble.</sup> Montmagny, in the district of Montmagny, has, by his petition, represented that he followed the lectures on Roman law, civil law, administrative law, commercial law and civil procedure, given at the Laval University of Quebec, and was admitted to practise the notarial profession in the month of May, one thousand eight hundred and seventy-three ; whereas since that date, he has also continued to study law, until the present time ; and whereas since the twenty third day of January, one thousand eight hundred and seventy-nine, he has studied as such, under indenture duly enregistered according to law, with Albert Joseph Bender, esquire, advocate, of the village of Montmagny ; whereas he has prayed that the Bar of the Province of Quebec be authorized to admit him to the practice of the profession, without requiring him to complete the time of probation as a student required by law, and it is expedient to grant his prayer ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows .

1. It shall be lawful for the Bar of the Province of <sup>Admission of</sup> Quebec, section of the district of Quebec, at any time after <sup>J. E. Lépine,</sup> as attorney

and advocate  
after exam-  
ination.

the passing of this act, to admit the said Joseph Eugène Lépine, to practise the profession of attorney and advocate, as soon as he shall have passed the usual examination, after giving one month's notice of his intention to present himself for such examination.

Act in force.

2. This act shall come into force on the day of its sanction.

### CAP. XCIII.

An Act to authorize the Bar of the Province of Quebec to admit Marie Joseph Edmour Chagnon, to the profession of Attorney and Advocate.

[Assented to 30th June, 1881.]

Preamble.

**W**HEREAS Marie Joseph Edmour Chagnon, of the city of Montreal, has, by his petition, represented, that he has studied law, during four years, under Lucien Forget, advocate and secretary of the Bar, section of Montreal, Alexander Lacoste, formerly Bâtonnier of the section of Montreal, and J. Alderic Ouimet, advocate of Montreal; that he has followed a course of lectures on international law, roman law, civil law, administrative law and commercial law, and civil and criminal procedure during three consecutive years, at McGill University of Montreal; that, although he has studied under the above named patrons, as established by his certificates, for periods which together would form a longer term than the law requires, he cannot legally be admitted to practise law by the Bar of the Province of Quebec, inasmuch as he had neglected to pass the examination for admission to the study of law;

Whereas, he has prayed that the Bar of the Province of Quebec be authorized to admit him to practise the profession, and given notice to the bâtonnier and the secretary of the section of the district of Montreal, on the twenty-fifth day of April, 1880, whereas the Bar of the section does not oppose the same, and it is expedient to grant his prayer; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Admission of  
M. J. E.  
Chagnon as  
an attorney  
and advocate  
after exam-  
ination.

1. The Bar of the Province of Quebec, section of the district of Montreal, may at any time after the passing of this act, admit the said Marie Joseph Edmour Chagnon, as an attorney and advocate, and to practise law as such, so soon as he shall have passed the usual examination, after previously giving one month's notice of his intention to submit himself to such examination.

Act in force.

2. This Act shall come into force on the day of its sanction.

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